EXTENSIONS OF REMARKS

CONGRATULATIONS JEANNE MARRINER AND JEAN LANE

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. HOCHBRUECKNER. Mr. Speaker, I rise today to honor two women who have been instrumental in leading the fight to save the Peconic Bay on eastern Long Island, NY. On the occasion of their retirement, on November 20 there will be a Save the Peconic Bays celebration to honor the efforts of Ms. Jeanne Marriner and Dr. Jean Lane over the past 6 years.

Jeanne Marriner was the chairperson of the Peconic Bay Brown Tide Citizen Task Force, and the executive director of Save the Peconic Bays, Inc. Through her speeches, publications, and videos, Jeanne brought attention to the brown tide problem in the East End Bays. Consequently, Jeanne played an integral role in the inclusion of the Peconic Bays as part of the National Estuary Program. In recognition of her extraordinary leadership Ms. Marriner was honored as the 1990 Suffolk Times Civic Person of the Year and twice named the Southold Town "Person of the Year."

Dr. Jean Lane, president of Save the Peconic Bays, has also played a vital role in preserving Eastern Long Island's waters. Since 1986, Jean has worked to obtain the resources and funding necessary to clean up the Peconic Bay. Dr. Lane's 7-year commitment to educating the public and saving the Peconic Bay was marked by its acceptance into the National Estuary Program.

The Peconic Bay is one of the world's great natural resources. In 1982, the East End Bays provided more than a quarter of the Nation's scallops and had an annual shellfish industry harvest of $5 million, a sharp contrast to the $13,000 harvest of 1992 following devastating brown tides. But the protection of Peconic National Estuary is more than just an economic necessity, it is an environmental cause that should be perpetuated for many generations to come.

In 1987, my first year in Congress, I joined Dr. Lane and Ms. Marriner in their effort to combat the brown tide that threatens the bay. I wrote to the Environmental Protection Agency to request direct Federal funding to assist in the effort to clean-up the Peconic Estuary. I was told, however, that the brown tide was not a Federal concern. Despite the discouraging response, I continued to pursue Federal assistance.

During the fall of 1988, I worked closely with former Congressman Norman Lent and Senator MOYNIHAN to encourage the Federal Government to add Peconic Bay to the National Estuary Program. In September 1992 I was proud to announce to my constituents that the Peconic Bay was only the 18th National Estuary in the entire Nation to achieve this unique environmental protection status.

The Environmental Protection Agency has organized a program management conference composed of Federal, State, and local government officials as well as local business people, fishermen, scientists, environmentalists, and farmers. With their efforts I am convinced that Peconic Bay can offer a model National Estuary Program effort.

Mr. Speaker, as efforts continue to restore the Peconic National Estuary, it gives me great pleasure to commend two women who have made a difference. I ask my colleagues to join me in saluting Jeanne Marriner and Dr. Jean Lane for their dedication to the Peconic Bay. I wish Ms. Marriner, who spends much of her free time sailing, and Dr. Lane, who is beginning a new career as an artist, the best of luck in their future endeavors.

THE CHALLENGE TO THE SHIPBUILDING INDUSTRY

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mrs. BENTLEY. Mr. Speaker, my fellow colleagues. On the first of October the President delivered to this Congress an invitation to partnership in meeting the challenge confronting one of our Nation's basic and traditional industries—the shipbuilding industry—the health and welfare of which holds far-reaching implications for our national economy and security.

I should like to share with this House the affirmative and constructive response which I have made, on my own behalf, to the President's appeal for partnership, and which I urge be adopted by my colleagues.

Re a national partnership for shipbuilding.

President WILLIAM J. CLINTON,
The White House.

DEAR MR. PRESIDENT: I write in response to and appreciation of your message to the Congress of October 1st, 1993—"Strengthening America's Shipyards: A Plan for Competing in the International Market"—and your call for a national partnership between the Administration and Congress, and between the government and the private sector, to meet the challenges that face that industry.

As one who has followed closely America's maritime industries for many years, I firmly believe that this nation's shipbuilding industry stands at a turning point of historic proportions:

On the one hand, the industry can be left to wither under the combined impact of declining defense orders, unfair subsidies abroad, and commercially unacceptable levels of productivity engendered by years of reliance on military contracts.

Or, with enlightened assistance, the industry can harness its unparalleled physical and human resources to American technology, know-how, and market opportunities and take its place as a dynamic and significant contributor both to our nation's economic well-being and growth and to the maintenance of our national security.

The choice for America is clear, and the good news is that never in recent memory has the combination of Administration and Congressional policy, industry resources, and market opportunities been aligned as positively and constructively to fully realize the commercial potential of the American shipbuilding industry.

Mr. President, I should like strongly to suggest one additional element to those enumerated in your report to the Congress as steps in the revitalization of commercial shipbuilding in this country. You quite correctly listed the following important objectives that this national partnership must achieve: identification of market needs; designing of products that can fill those market needs; development of a construction approach to create those products; and enhancement of this process through partnerships between shipyards, customers, suppliers, and technologists, and between the government and the private sector.

The added ingredient: Action now.

For an industry whose decline over recent years has been measured by a steady stream of headlines of layoffs and closed facilities, an additional ingredient is urgently needed if stability is to be achieved and future potential realized: action now, without delay, to advance concrete market-driven commercial production opportunities.

More studies of the industry are not the answer. This industry has been studied practically to death, and with nothing practical to show for it. More R&D is not the answer. We have the technology; what is needed is to bring that technology down to the factory floor and into the actual process of production (as our overseas competitors are doing, including with U.S. technology which remains on the shelf here in the States).

The action that is needed is to start the process of building ships for the market, and, in the process of production, to put men and women to work, gain new skills, apply technologies, train and retrain, increase productivity, and achieve international competitiveness.

But there has to be a starting place. To my knowledge, Mr. President, there are not many markets which present commercial ship building opportunities for our shipyards to choose from in their present commercially uncompetitive posture—and projections of international shipbuilding among highly competitve foreign yards are meaningless for the U.S. industry unless and until our yards achieve new improved levels of productivity and competitiveness.

But there is one significant immediate commercial market opportunity for the U.S. shipbuilding industry, and it presents a unique arena in which to match U.S. resources to commercial needs for the benefit of both the shipbuilding industry and the nation. I submit that this opportunity should be seized and capitalized on by the public-private partnership you have called for, and without a moment's delay. That is the American Flagship Project. The National Economic Council (NEC) and The White House

Office of Science and Technology Policy have been briefed on this project, as have many of my colleagues in the Congress who share my concern and interest in America's maritime future.

The American Flagship project is a multi-billion dollar private sector initiative to construct three 250,000 GRT passenger vessels in our nation's shipyards for operation under the American flag. Over $28-million of private money has been invested in the development of the project including, specifically, the market analysis and testing, product design and engineering, the development of an innovative plan for construction, and the enhancement of this process through partnerships among the nation's shipyards, suppliers, technolgists, government, and the private-sector customer (which in this case happens to be an American Foundation). The project is market-driven and contract ready. I know of no other market-driven commercial project even approaching this scale or potential impact on our nation's shipyards; not even on the far horizon.

The worldwide passenger/cruise ship industry is healthy and growing and its customer base is almost exclusively American.

We quite rightly spend considerable time in this Congress and recent Administrations decrying the inroads of foreign-built, subsidized ships and underpaid crews into what are essentially U.S. trades. But retaliatory action against these situations is not our only recourse, Mr. President. We have tools at hand to start today the process of revitalizing our commercial shipbuilding industry. It requires nothing more than a "go ahead" from your Administration to move the process forward.

To illustrate the significance of the opportunity resident in the American Flagship project, I would note:

The cruise ship segment of the passenger ship market (and it is only one of several segments) is among the fastest-growing sectors of the international leisure and travel market, and the end of its growth rate is not in sight.

Americans represent at least 85 percent of the passengers in that industry and currently spend some $5-billion a year effectively "importing" foreign-build and foreign-manned passenger ships, of which amount some $4-billion a year is added to our national trade deficit.

Zero dollars are paid in corporate income and shipboard payroll taxes by what is essentially a booming U.S.-based industry.

Between 1992 and the end of this decade, it is estimated that revenues in this market will total 117-billion dollars, of which at least 100-billion dollars will be paid by Americans and 70-billion dollars of that will be added to our national trade deficit.

The strength of the passenger ship cruise market is such that over $4-billion in passenger cruise ships are currently on order from foreign shipyards (not counting the value of foreign government subsidies)—and every one of these ships targets the U.S. passenger.

Can U.S. shipyards enter and compete in the passenger market? Absolutely. But not with conventional-sized vessels where our foreign competitors already have a strong competitive advantage, not to mention subsidies. Rather, the U.S. can lead the way forward and focus on the next-generation complex, modularly-designed megaships which our nation's shipyards are uniquely positioned to undertake.

Among the advantages that will assist U.S. yards in entering and claiming a share of this dynamic market, starting now, are the following:

U.S. shipyards will be more competitive in building more complex ships—like very large passenger ships—rather than tankers and cargo ships as to which foreign yards will maintain a competitive edge until U.S. shipyards productivity is significantly improved.

Wage rates in U.S. shipyards are competitive with those of European and Japanese shipyards and are likely to remain so as productivity levels improve with actual construction experience and enhancement of technology.

The cruise industry and other markets for passenger ships are dollar markets, earning the major part of their revenues in dollars, so that shipyards building under dollar denominated contracts will have the double advantage of the competitive value of the dollar, and freedom from the cost of a currency hedge.

There are two major markets for passenger ships which are effectively reserved to U.S.-build ships, and each is substantially larger than the entire cruise market.

One of these is the meeting and convention market—with annual revenues currently ten times those of the entire cruise industry—and which is driven in large part by tax deductibility, which is available only on U.S.-built ships.

The other is the vast domestic leisure and vacation market, tapping the rich tourism and hospitality resources of America's coastal cities and communities far beyond the few cruise ports of departure for foreign ships—domestic destinations which, under the Passenger Services Act of 1886, can be served (and benefitted) only by ships built in the United States.

In short, Mr. President, U.S. shipyards can build the American Flagships of the future to serve these markets starting now, without delay, utilizing facilities and tools currently available, and without waiting for new legislation or elimination of the inequities of international shipyard subsidies. Equally importantly, in the process of that production our defense-reliant shipyards can adopt processes and technologies that will improve the productivity and competitiveness of their ship production skills across the board and as to all forms of ship construction.

But action requires more than opportunities. What is needed now is a specific plan that will start this process, and help our shipyards move up the learning/productivity curve, by tapping markets and revenue streams uniquely available to U.S. ships with a product uniquely designed to serve them. The sponsors of the American Flagship project have joined with 52 other participants—including over half of the nation's shipbuilding capacity, a number of Fortune 500 corporations, the nation's leading technology providers, the American Bureau of Shipping, and even the U.S. Navy—in making a proposal to the Advanced Research Projects Agency under your Technology Reinvestment Program. The proposal outlines a market-driven path to commercial competitiveness and dual-use capability for our nation's shipyards, starting now, not five years from now when thousands more jobs will have been lost and additional shipbuilding facilities closed.

The plan calls for the organization of a "virtual shipyard" to pull technology and know-how into the actual production process—taking R&D out of the laboratories and think-tanks and down to the factory floor where it can do our shipbuilding industry some good. The project represents a relatively small Technology Reinvestment award which can be leveraged, here and now, into a multi-billion dollar market-driven American shipbuilding project and real jobs.

Mr. President, I would also call your attention to the American Flagship project in the context of national security issues (e.g. the preservation of our defense technology and industrial base), the defense conversion objectives which your Administration has so successfully advanced (e.g. the potential for civil-military integration of the shipbuilding sector), and the extent to which the cost of maritime technology development and deployment can be transferred from the government to the private sector, supported by commercial markets and existing revenue streams.

It has certainly been reassuring to see so much focus in Washington lately on the shipbuilding industry, but concrete and comprehensive solutions that are based on commercial markets which will support them starting now, are not in abundance. The American Flagship project is one—and I urge your support of it.

With every good wish,

HELEN DELICH BENTLEY,
Member of Congress.

Mr. Speaker, in keeping with the spirit and substance my letter to the President, I urge upon my colleagues that in any legislation intended to support the commercial shipbuilding industry—be it the National Shipbuilding Initiative, funding for the Technology Reinvestment Program, or other relief—priority be expressly given to activities, tasks, and expenditures which lead to actual commercial production for identifiable market opportunities. I therefore urge upon my colleagues, Mr. Speaker language which would serve that purpose in any legislation or conference report, including in the shipbuilding provisions of H.R. 2401, and I request that it be included in the RECORD:

Of the funding and activities authorized for shipbuilding (e.g. under title XIII, subtitle E, the "National Shipbuilding and Shipyard Conversion Act of 1993" H.R. 2401), priority shall be accorded to expenditures and activities which demonstrably benefit the industry as a whole and which (1) leverage market-driven, commercial production activities and rely the least on further public expenditure; (2) translate soonest into actual shipproduction and thereby save and create jobs in the industry; and (3) in this context, also facilitate the acquisition of new methods, better practices, and appropriate technologies for increasing productivity and competitiveness, thereby preserving the defense technology and industrial base and ensuring affordable military ships.

To ensure the soonest and optimum benefit to the industry from the authorized funding and activities, the agencies involved in the administration of the activities and moneys are directed to implement projects meeting the above criteria in the most expeditious manner and to minimize regulatory and other barriers or delays to the maximum extent practicable.

IN HONOR OF JOHN MACKAY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. STARK. Mr. Speaker, today I would like to take a few minutes to recognize John

Mackay's distinguished career of service to the schools and community of Milpitas, CA.

For more than 30 years, John Mackay has worked for the Milpitas Unified School District. In 1965, Mr. Mackay was the principal of Thomas Russell Junior High School. In 1967, he became an associate superintendent with the school district and later in 1971, he was promoted to deputy superintendent. Finally, in 1987, Mr. Mackay reached the top of his field when he became superintendent of the Milpitas Unified School District where he has served ever since.

Mr. Mackay has also served on a variety of educational organizations. From 1985 to 1992, Mr. Mackay was the commissioner for the Western Association of Schools and Colleges Accrediting Commission for Schools. He also served as commissioner of the Accrediting Commission for Community and Junior Colleges from 1985 to 1992. From 1991 to 1993, Mr. Mackay was the chairman for the Santa Clara County Superintendent's Association and the chairman for the Santa Clara County Special Education Local Planning Agency—Region V.

Even with all his duties at the Milpitas Unified School District, Mr. Mackay still found time to serve his community. He is a member of the Milpitas Chamber of Commerce and Director of the Milpitas/Berryessa YMCA. He also served as president of the Milpitas Rotary Club in 1982.

On January 7, 1994, John Mackay's colleagues will hold a retirement dinner to acknowledge him as an outstanding superintendent, and I join those who have recognized him for his monumental achievements.

John Mackay will be sorely missed at the Milpitas Unified School District.

TRIBUTE TO DR. STEPHEN KOLLINS

HON. JAMES H. BILBRAY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. BILBRAY. Mr. Speaker, I rise today to pay tribute to an outstanding Nevadan, Dr. Stephen Kollins. Dr. Kollins is a leader among medical professionals in southern Nevada. In addition to a successful practice, Steve Kollins enjoys medical teaching and is an associate clinical professor at the University of Nevada, Las Vegas. He has published several book chapters and scientific papers.

He joined desert radiologists in 1978 and has helped shape the growth of the practice into Nevada's largest diagnostic radiology and radiation oncology practice. He shares clinical responsibility with his associates in a very innovative medical imaging practice at University Medical Center in southern Nevada, Desert Springs Hospital, and in the group's affiliated offices. He has also served as department director for the radiology department at Southwest Medical Associates since 1985.

Dr. Kollins is an impassioned advocate for children. His efforts linked University Medical Center with the Children's Miracle Network Telethon. To date, $2.2 million has been raised to support pediatrics at that overburdened medical facility.

Steve Kollins is a pillar of the Jewish-American community. He is a past president of Congregation Ner Tamid and has served on its board of directors since 1982. He is first vice president of the Jewish Federation of Las Vegas. He was instrumental in the creation of the federation's central offices and combining the offices of major public service organizations together, such as the Jewish Family Service Agency and B'nai B'rith.

Steve is blessed with three children: Michael, Lisa, and Judy.

Most recently, Dr. Kollins has been named Man of the Year by Hadassah in southern Nevada. I ask my colleagues to join me and the men and women of Hadassah in honoring a great man, and my friend.

CONGRATULATIONS TO OREGON TRAIL JUNIOR HIGH SCHOOL

HON. JAN MEYERS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mrs. MEYERS of Kansas. Mr. Speaker, I wish to congratulate the students, teachers, and parents at Oregon Trail Junior High School, the only school in Kansas awarded a blue ribbon school award by the Department of Education in 1993. Oregon Trail Junior High School is also the only school in Kansas to have received this award twice.

Blue ribbon school status is awarded by the Department of Education to schools that display strong leadership; a clear sense of mission; high-quality teaching; an appropriate, up-to-date curriculum; strong parental interest and involvement; and evidence that the school strives to help all students achieve the best of their abilities.

When one looks at the long list of award-winning programs and record of student accomplishments, it is easy to see why Oregon Trail Junior High School continues to receive accolades. Students regularly participate in national French and Spanish tests, scoring as the top three students in the State every year. Oregon Trail has ranked in the top three schools in the State the last 3 out of 4 years for the State of Kansas Scholarship Test.

Out of 720 students, 70 percent are involved in one or more extracurricular activities offered to them. Oregon Trail's first science olympiad team earned five medals, qualifying for the State competition. Oregon Trail students achieved significant increases in the Iowa Test of Basic Skills for 1991–92.

I wish to congratulate and recognize every student, teacher, and parent associated with Oregon Trail Junior High School. Your achievements show us what an involved and concerned community can accomplish.

HONORING SIDNEY LEVISS

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. ACKERMAN. Mr. Speaker, I rise today to join with the many constituents of my district as well as the members of the judiciary of the State of New York in honoring Justice Sidney Leviss who, after 21 years of dedicated and historic service, is retiring from the bench.

Justice Leviss' career is highlighted by constant achievement and a never ending dedication to public service. Justice Leviss received his law degree in 1941 from NYU, where he served on the New York University Law Review. He was admitted to the bar in 1942 to practice in Southern and Eastern Districts of Federal Court and in the Supreme Court of the United States, However, he then went on to serve his country in World War II in the U.S. Army Air Corps. Upon his return, he entered local government, becoming the assistant district attorney in Queens County. He then moved on to assistant commissioner of borough works for Queens County. Shortly, thereafter, the justice became deputy borough president and then borough president of Queens County. In 1972, Sidney Leviss ascended the bench as a justice of the Supreme Court of the State of New York.

Throughout his career, Justice Leviss has not only proven his dedication to the public service arena, but also has demonstrated his leadership in many civic and philanthropic activities. Among his accomplishments in the Borough President's office were the securing of funding and subsequent construction or planning of the Flushing River Bridge, College Point Industrial Park, Queens Museum of Art, addition to the Science Museum, 69th Street Subway Tunnel, Third City Water Tunnel, York College, Queensboro Community College, and numerous elementary, junior high schools, and high schools. As a Justice of the Supreme Court, Sidney Leviss wrote lead decisions in matrimonial law, negligence law, labor law, evidence and contract law, and presided over many complex cases in the areas of medical malpractice, product liability, and construction injury.

Mr. Speaker, I ask all my colleagues in the House of Representatives to join me now in extending our best wishes to Justice Sidney Leviss upon his retirement from the Justice of the Supreme Court of the State of New York and to congratulate this remarkable man for his 21 years of service.

TRIBUTE TO EDWARD GERKEN

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. SCHUMER. Mr. Speaker, one of the pleasures of serving in this legislative body is the opportunity we occasionally get to publicly acknowledge outstanding citizens of our Nation.

I rise today to recognize one such individual, Edward Gerken, on the occasion of his being named "Man of the Year" in health care by TOURO College. This devoted man has played a key role in the establishment of the extension campus of TOURO College for physician assistants at Coney Island Hospital. And in an effort to satisfy community health needs, he has supported alternative providers like Midwives since 1982. Mr. Gerken was

also instrumental in the building and renovation of the Ida G. Israel Community Health Center in Coney Island. His unending and tireless efforts to initiate programs in areas such as medical records, audio and speech and hearing therapy, and physical and occupational therapy are of great worth to the community.

These are but a few of the numerous contributions that Edward Gerken has made to the world of medicine. He is a great man and it is a pleasure for me to be able to acknowledge him on this important day when he is receiving a well-deserved honor.

DEPOSIT INSURANCE REFORM, REGULATORY MODERNIZATION, AND TAXPAYER PROTECTION ACT OF 1993

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. PETRI. Mr. Speaker, today I introduce the Deposit Insurance Reform, Regulatory Modernization, and Taxpayer Protection Act of 1993.

Briefly, this bill will, as the title implies, reform the Nation's deposit insurance system by substituting private regulation for Government regulation of what is already an industry funded system. It will take the taxpayer completely off the hook for any future losses due to bank or thrift failures, and it will dramatically improve the efficiency of the banking industry through substantial regulatory relief and lower insurance premiums.

Bank insolvency losses unnecessarily reached levels not seen since the Great Depression because mispriced Federal deposit insurance contributed to a series of asset deflations, the major killer of banks and other highly leveraged lenders.

However, bank insolvency losses were largely concentrated in the Southwest and in New England. Overall commercial banking actually performed reasonably well during the 1980's in the other regions of the United States where there was relatively little asset deflation.

The political process, however, understands neither the underlying flaws of Federal deposit insurance nor the regional nature of bank insolvency losses. As usually happens, the Federal Government overreacted in an indiscriminate manner to the problems in recent years among banks and thrifts. Consequently, the regulatory pendulum has swung to an unjustifiable extreme, and the economy is paying the price.

An unwarranted increase in regulatory burdens and costs imposed on healthy banks and thrifts has caused an enormous shift in market share to the less taxed and less regulated channels of intermediation. However, these channels may in fact be less efficient and less capable of supplying credit to important sectors of the economy, such as small business.

My bill is designed to solve these problems and more. The Deposit Insurance Reform, Regulatory Modernization, and Taxpayer Protection Act of 1993 will create a "100 percent cross-guarantee" system under which each bank or thrift institution will enter into a contract with an ad hoc syndicate of banks, thrifts, pension or endowment funds, insurance companies and the like to guarantee all of its deposits. Premium rates and safety and soundness requirements will be negotiated contract by contract and will not require government approval.

The guarantors, who will have their own money at risk, will take over "safety and soundness" regulatory responsibility from the Federal Government. The specific contract provisions for this purpose will vary depending upon the condition and practices of the individual bank or thrift, effectively ending "one-size-fits-all" regulation.

Each syndicate will employ an independent syndicate agent firm to oversee the performance of the guaranteed bank or thrift. The syndicate, through its agent, will be able to force changes in the guaranteed bank or even close or sell it if it runs into trouble. The agent's independence will prevent anticompetitive behavior.

Various rules for the spreading of risk will ensure the safety of the entire system, including the mandating of minimum numbers of guarantors for each bank, limits on the amount of risk undertaken by any one guarantor, and the inclusion of mandatory "stop-loss" contracts under which guarantors will pass any excessive losses through to their own "second tier" of guarantors.

The Government's principal role will be to make sure that contracts are in place and that all the risk dispersion rules are complied with. Backup Federal deposit insurance will be retained but never needed even in circumstances worse than the Great Depression.

The entire system will have to meet a key market test before it can really get started, since no contracts will become effective until a "critical mass" of at least 250 banks with at least $500 billion of assets has chosen to participate and has contracts ready to go.

Once the system is operating, banks' regulatory burdens will become far lighter, banks will have the opportunity to earn money as guarantors, and their own deposit insurance premiums will be far lower. Premiums will be lower because risk-related premiums will deter unsound lending and guarantors will act quickly to minimize losses if problems develop. For these reasons and many others, I expect this proposal to be attractive to all segments of the financial world.

This legislation has several important benefits for the economy. The taxpayers will be protected in the event of any future loss due to bank failures. A more efficient banking industry will help promote economic growth. However, the most important benefit of this plan is that it should lead to the risk sensitive pricing of loans, which should moderate future speculative bubbles.

It is these positive effects on the economy as a whole that are really the most important reasons for taking a good look at this bill. If we're going to get our economy moving again and get a handle on our deficit problem, we need to fundamentally reform the way we do things in a number of key areas. Health care, welfare, and education are a few of those areas, but financial services is certainly a crucial one. I believe deposit insurance and regulatory reform are the most important keys to improving financial services.

Mr. Speaker, I insert in addition to this statement, a short synopsis and two articles about this legislation in the RECORD:

THE DEPOSIT INSURANCE REFORM, REGULATORY MODERNIZATION, AND TAXPAYER PROTECTION ACT OF 1993

INHERENT AND IRREPARABLE FLAWS IN FEDERAL DEPOSIT INSURANCE

As Roosevelt warned in 1933, it protects bad banks as well as good, it puts a premium on unsound banking, and it has cost taxpayers billions of dollars.

As bank and S&L insolvency losses soared during the 1980s, regulators moved too slowly to deal with failing institutions. This made losses even worse.

Its mispricing caused a substantial misallocation of credit in the 1980s that has greatly aggravated the current recession; even the FDIC's new risk-based premiums will overcharge good banks and thrifts and dampen their willingness to lend. Consequently, some sound businesses cannot get sufficient credit.

Deposit insurance must be priced to reflect the riskiness of individuals banks, but the FDIC cannot properly set risk-sensitive premiums because accurate prices can be established only in private, competitive markets.

Federal deposit insurance has become increasingly dependent upon extensive regulation that cannot keep up with rapid changes in a financial world driven increasingly by electronic technology. Government regulation has become counterproductive and harmful to good banks and thrifts and to America's international competitiveness.

BASIC PRINCIPLES OF THE 100 PERCENT CROSS-GUARANTEE SOLUTION

End taxpayer risk and bailouts by ensuring that private sector equity capital always protects ALL bank and thrift deposits from loss.

Let private markets set risk-sensitive deposit insurance premiums, based on leading indicators of banking risk, that will discourage unwise banking practices.

Shift "safety-and-soundness" regulation for banks and thrifts to those who bear the risk of loss, the owners of the private capital protecting depositors.

Also shift the bank closure decision to those bearing the risk of loss. These guarantors have the strongest incentive to minimize losses and therefore should control the risks they have assumed.

Use a "stop-loss" mechanism to spread the bank insolvency risk widely, and therefore thinly, over the equity capital of the financial world.

Retain federal deposit insurance as a never-to-be-used backup insurance, but only for deposits up to $100,000.

SPECIFICS OF THE 100 PERCENT CROSS-GUARANTEE SOLUTION

Each bank and thrift enters into a contract with a syndicate of banks, thrifts and/or other well capitalized entities that guarantees the original contractual terms of all deposits and most other liabilities of the guaranteed institution.

Premium rates and other contractual terms are negotiated on a syndicate-by-syndicate basis and are NOT subject to government regulation or approval.

Numerous safeguards protect taxpayers against another deposit insurance bailout. A mandatory "stop-loss" mechanism passes part of any large insolvency loss to the guarantors' guarantors. Risk dispersion rules require a minimum number of guarantors for

any one bank of thrift and limit both the aggregate risk assumed by a guarantor and the percent of risk any one guarantor assumes for any one bank or thrift.

Cross-guarantee contracts cannot be canceled unless the guaranteed bank or thrift first obtains a replacement contract or is acquired by another guaranteed bank or thrift. Once guaranteed, no institution can operate without a cross-guarantee contract in place.

Each syndicate retains an agent to monitor the financial condition of the bank or thrift it has guaranteed to ensure adherence to all contractual terms and to act as a buffer to protect the competitive secrets of the guaranteed institution.

A new agency, the Cross-Guarantee Regulation Corporation, regulates the cross-guarantee process, primarily to ensure that all guarantors are guaranteed with regard to their cross-guarantee obligations and that they have sufficient capital relative to the risks they have assumed. Safety-and-soundness concerns for individual institutions shift to the syndicates. The bank regulatory establishment is then downsized as banks obtain guarantees.

A back-up fund (BUF) insures deposits up to $100,000, but only on a back-up basis. It should never experience a loss. Guaranteed banks can still post the FDIC insurance logo.

Weaker banks and thrifts have ample time to raise the capital needed to obtain a cross-guarantee contract or to merge with another institution. The FDIC has ample funds today to cover losses in the few institutions that will fail in this conversion process.

Phase-in provisions give smaller banks and thrifts up to ten years to obtain a cross-guarantee contract. The first contracts become effective when 250 banks or thrifts, with total assets of at least $500 billion, have approved contracts in hand.

A competitive market with an ample pool of potential guarantors protects against premium overcharges, ends concerns about capital adequacy in the banking system, and permits guarantors to accept or reject individual cross-guarantee risks as they see fit.

Although there should be no bank runs, cross-guarantee contracts protect any loan a Federal Reserve bank makes to a guaranteed institution experiencing liquidity problems.

[From the New York Times, March 11, 1992]

A PLAN TO BANKROLL DEPOSIT INSURANCE

(By Peter Passell)

Could Uncle Sam again be caught holding the bag in a banking scam on the scale of the savings and loan debacle? Knock on wood, probably not.

Last year Congress ordered Federal deposit insurers to take over ailing banks before the institutions managed to throw good taxpayer money after their own bad debts. And under rules that go into effect next year, banks that are inclined to take chances will be obligated to buffer the risks with more capital.

But safety is only half the deposit insurance story; the other half is efficiency. While the United States Treasury is now better armored against assaults from future Charles Keatings, deposit insurance remains a crude regulatory tool that only a bureaucrat could love.

Federal regulators must still make subjective calls about when to padlock the doors on friendly neighborhood banks. Moreover, insurance premiums still do not mirror the risks of individual bank portfolios, a failure that implicitly subsidizes the high rollers. It is no surprise, then, that many economists see deposit insurance as a necessary evil the inevitable price of securing the national money supply.

Many, but not all, Bert Ely, who runs Ely & Company, a consulting firm in Alexandria, Va., thinks he knows a better way: private deposit insurance. And he has found a patron in Thomas Petri, a Republican Congressman from Wisconsin with a soft spot for smart schemes to buy better government for less money.

The banking industry insures itself. Premiums go into a pool, with the proceeds dedicated to making good on individual banks' promises to depositors. But civil servants, not the contributors, are in charge of setting premiums and keeping banks on the straight and narrow. And without a market to discipline the process, regulators are unlikely to make economically rational decisions.

That is where the Ely-Petri plan fits in. It would eliminate the middleman, converting deposit insurance into a true industrywide self-insurance plan. Banks would be required to obtain insurance from syndicates of other banks and perhaps other financial institutions with deep pockets. The syndicates, in turn, would be required to reinsure with other syndicates against losses of a magnitude that could tap them out. And to cope with the incredibly unlikely event of the whole system running through its capital, the Government would reinsure the reinsurers.

Syndicates, managed by professional agents, would set premiums at any level they wished and negotiate their own criteria for withdrawing coverage—much the way a fire insurer deals with corporate policyholders. Competition between syndicates would prevent rate gouging, as well as creating pressures to price policies according to the perceived risk in banks' investment strategies.

Markets, not bureaucrats, would decide when banks closed: A bank that could not obtain insurance, or could not make a profit at the level of premiums demanded, would be forced to merge or liquidate.

Would it work? Robert Litan, an economist at the Brookings Institution, thinks the plan is "conceptually quite elegant." The big imponderable, he suggests, is whether a deep, competitive market in deposit insurance would emerge. After all, the existence of opportunities for profit do not always attract investors or expertise—especially in games that require big bucks to play.

One specific worry is whether syndicates would favor large banks over small because the costs of supervising smaller institutions would be high, per dollar insured. Another is that the syndicates would be excessively conservative, effectively forcing even well-managed, well-capitalized banks to shed higher-risk loans.

But it is not entirely clear that these are drawbacks. If small banks are more expensive to regulate than large ones, why should they not pay more? And if banks are driven to hold lower-risk portfolios, there is still reason to believe that less-than-blue-chip borrowers would have access to capital.

Finance companies and investment banks that specialize in commercial paper would probably pick up part of the slack. And the trend toward securitization, in which banks package everything from home mortgages to credit card debts in multimillion-dollar bundles and sell them to institutional investors, would no doubt accelerate.

Whether or not the Ely-Petri approach would do the job is irrelevant, of course, if it cannot attract serious support in Washington. One strategy for making it relevant, Mr. Litan suggests, would be to start with only large banks.

That would cheer up smaller banks, which resent the current Federal inclination to discriminate in favor of institutions that are "too big to fail." And it might pick up some support from the healthiest mega-banks, which now chafe at paying high insurance premiums to carry their deadbeat competitors.

[From the Hoosier Banker, January 1993]

THE 100 PERCENT CROSS-GUARANTEES: SAFETY, SOUNDNESS AND MUCH MORE FOR BANKING

(By Bert Ely, President, Ely & Company, Inc., Alexandria, VA)

Almost from the beginning of banking as a specially chartered business, the governments that charter banks have mandated safety and soundness requirements designed to protect depositors from losses. Key requirements have included minimum capital levels, restrictions on asset investments, loan-to-one-borrower limits, and liquidity standards.

Safety and soundness requirements, though, have not been foolproof protectors of depositors, which is why deposit insurance first emerged in 1829 with the formation of the Safety Fund Banking System in New York. That plan, as well as 10 subsequent state deposit insurance plans for banks, later failed during economic distress. All of these plans failed, because they were ill-conceived as insurance mechanisms.

Federal deposit insurance, which emerged from the ruins of the Great Depression, was modeled on the 11 earlier state plans that failed, which is why failing S&L's bankrupted the Federal Savings and Loan Insurance Corp. (FSLIC) in the 1980s. Bank failures also have caused enormous losses for the Bank Insurance Fund (BIF). Federal deposit insurance has fulfilled President Roosevelt's prophetic warning in 1933 that government deposit insurance would guarantee bad banks as well as good banks, would cost the taxpayers money, and would put a premium on unsound banking in the future.

Ignoring Roosevelt's warnings about the inherent flaws in federal deposit insurance, Congress and the banking regulators over the last decade have attempted to minimize future bank failures by imposing stiffer safety and soundness requirements that seek to take as much risk out of banking as possible. They may succeed, but the unintended consequences of increased safety and soundness requirements for banking may inflict even more havoc on our economy outside of the banking system.

Specifically, financial intermediation in this country is becoming less efficient, the potential for systemic risk elsewhere in the financial system is increasing, and many legitimate credit needs are not being met adequately. In effect, government policies are making things worse as they attempt to fix the irreparable, government-mandated safety and soundness standards for banking.

100 PERCENT CROSS-GUARANTEES: A BETTER WAY TO SAFE, SOUND AND WISE BANKING

Banks, like other types of financial intermediaries that hold the public's financial wealth, need safety and soundness standards. Banking also needs a sound insurance mechanism that protects depositors against losses when a bank or thrift fails in spite of those standards.

But government is not the only source for those standards, nor for deposit insurance.

The marketplace can do a better job of ensuring safe, sound and wise banking while protecting depositors against any losses if a private-sector deposit insurance mechanism is properly structured.

The 100 percent cross-guarantee concept represents a better way, and perhaps the only way, to utilize the marketplace to deliver better and safer banking than the federal government ever can hope to deliver. Cross-guarantees, which have been under development for more than a decade, moved beyond the concept stage when the Taxpayer Protection, Deposit Insurance Reform, and Regulatory Relief Act of 1992 (HR 6069) was introduced on September 30, 1992, by Rep. Tom Petri, R-Wis. Effectively, the Petri bill employs the 100 percent cross-guarantee concept to privatize the management of the deposit insurance program now administered by the FDIC, thus bringing perestroika to American banking.

OBJECTIVES FOR SAFE AND SOUND BANKING

The following are legitimate public policy objectives for a safe and sound banking system:

A stable financial system that works smoothly, efficiently, and without disruption by protecting depositors and insureds against losses arising out of the failure of individual financial firms;

A safe financial system in which insolvent firms can be disposed of without triggering a financial crisis;

Private capital voluntarily placed at risk bears all losses incurred in protecting the depositors and insureds of failed firms.

KEY FEATURES OF CROSS-GUARANTEES

The Petri bill will create a marketplace in which each bank and thrift will have to seek a cross-guarantee contract that will protect all of its deposits and most of its other liabilities and commitments against any loss or failure to perform, should the institution become insolvent. Qualified parties voluntarily will provide the guarantees called for in these contracts in exchange for a risk-based premium. These guarantors can be other banks and thrifts, general business corporations, insurers, endowment and pension funds, and even very wealthy individuals.

Each bank and thrift will recruit a syndicate of guarantors from a large pool of guarantors that meet certain statutory requirements. The terms of each cross-guarantee contract will be negotiated solely by the guaranteed institution and its guarantors. Key terms of these contracts will include the formula under which the risk-based premium will be calculated and the safety and soundness standards applicable to the bank or thrift.

Market-driven risk-based premiums, based on leading indicators of banking risk, will deter unwise lending that leads to bank failures. Each contract also must specify a syndicate agent to monitor the activities of the guaranteed bank or thrift on behalf of the syndicate of guarantors. Figure 1 illustrates the parties to a cross-guarantee contract.

No longer will depository institutions be subject to one-size-must-fit-all government regulation; instead, the marketplace will tailor safety and soundness requirements to the operating style of individual institutions. This tailoring process will permit banks and thrifts to specialize and therefore to compete more effectively against firms that currently are less regulated.

The Petri bill creates a regulatory mechanism for the cross-guarantee marketplace that focuses on the ends or objectives of the process, not on how these ends are to be achieved. Specifically, the bill establishes certain requirements for each cross-guarantee contract and further requires that each contract be approved by a federal agency before it takes effect.

Key statutory requirements which each contract must meet include protecting all deposits and most other liabilities of the guaranteed institution, mandating certain "stop-loss" limits that will spread large or catastrophic losses widely but thinly over the capital of many guarantors, requiring that each guarantor who is not a guaranteed bank or thrift have a net worth of at least $100 million, and establishing specific risk-dispersion requirements for each contract and guarantor. In addition, no cross-guarantee contract can be canceled or allowed to expire, unless a replacement contract has been obtained.

The Petri bill bars the government from objecting to any contract provision dealing with the pricing of cross-guarantees, safety and soundness requirements imposed by guarantors, or the conditions under which a bank's or thrift's cross-guarantee syndicate can assume control of the institution. In other words, the government's say over contract terms will not extend beyond what specifically is required by statute.

The cross-guarantee concept, and especially its stop-loss feature, eliminates as a practical matter all taxpayer risk from deposit insurance. However, because depositors have come to rely on federal deposit insurance, the Petri bill creates a backup fund (BUF) to protect depositors up to the present limit of $100,000.

The cross-guarantee system, though, will be so strong that any economic catastrophe that bankrupted the system already would have caused our increasingly indebted federal government to default on its obligations. Figure 2 illustrates the relationship of the cross-guarantee system to the BUF.

Two other features of the Petri bill warrant special mention. First, the bill is a "narrow bill," in that it only reforms deposit insurance. It does not address those aspects of banking regulation that restrict competition or impose unwarranted inefficiencies on banking, such as branching restrictions or the separation of investment from commercial banking. Those issues can be dealt with more easily once the management of deposit insurance has been privatized.

Second, while the Petri bill addresses only federal deposit insurance for banks and thrifts, the cross-guarantee concept is applicable to any type of financial intermediary operating in any market economy in which contracts are readily enforceable. Hence, it will be relatively easy to extend the cross-guarantee concept to the securities and insurance industries, as well as to the financial systems of other countries.

Now is an ideal time to implement cross-guarantees. The American economy is in the early stages of what should be a long-term recovery from the deflation-driven recession of recent years. This long recovery period will permit cross-guarantees to take root in time to begin pricing against trends that otherwise could cause future speculative bubbles that will prove costly, not only to the economy, but possibly even to taxpayers.

CROSS-GUARANTEES WILL DELIVER MANY BENEFITS

The 100 percent cross-guarantee concept offers many benefits to the banking system, to the economy, to the American taxpayer, and to the political process. The order of these benefits does not diminish the importance of those benefits not presented first.

Benefit 1. Implementation of 100 percent cross-guarantees can occur much more quickly and completely than any other deposit insurance reform proposal. Many banks and thrifts will be ready to switch to 100 percent cross-guarantees on the date cross-guarantee contracts can first become effective, which will be 18 months after the legislation is enacted.

Benefit 2. the 100 percent cross-guarantee concept represents the only comprehensive reform of deposit insurance that has been proposed. Further, 100 percent cross-guarantees will reform federal deposit insurance by effectively replacing it. All other proposals, by attempting to reform federal deposit insurance and its accompanying regulatory straitjacket, are trying to repair the irreparable.

Benefit 3. The "solvency safety net" constructed by the stop-loss feature in all cross-guarantee contracts will effectively privatize the federal safety net, thus eliminating all risk of loss to taxpayers. Shifting the safety net function to 100 percent cross-guarantees will then permit the Federal Reserve to concentrate solely on its monetary management duties.

Benefit 4. The 100 percent cross-guarantees will not take away any existing protections for depositors and the financial system; cross-guarantees will only add to existing protections. Retaining federal deposit insurance, up to $100,000, but only as a backstop for 100 percent cross-guarantees, will give small depositors confidence that their deposits are just as well protected as they now are. However, because of the strength of 100 percent cross-guarantees, this backup protection, as a practical matter, will never be called upon.

Benefit 5. Because of the great strength of cross-guarantees, all guaranteed banks and thrifts almost certainly will be AAA-rated by the bank rating agencies. This high credit rating will permit banks and thrifts to raise funds more cheaply. Because cross-guarantees will be much cheaper than federal deposit insurance and regulatory burdens will be less costly, guaranteed banks and thrifts will be able to lower their "all-in" cost of funds.

Benefit 6. With lower funding costs, 100 percent cross-guarantees will permit guaranteed institutions to profitably hold lower-risk assets, such as loans to top-rated businesses. Also, banks and thrifts will be able to hold many assets in portfolio that they now feel compelled to securitize.

Benefit 7. The 100 percent cross-guarantee concept builds on the existing strengths of the banking system, most notably on the equity capital already invested in it. This capital and its earning power are more than enough to enable the banking system to withstand another Great Depression, once 100 percent cross-guarantees become a reality.

Benefit 8. Cross-guarantees will greatly increase financial stability within the banking system by explicitly protecting all domestic and foreign deposits in American banks and thrifts from insolvency losses that occur for whatever reason. This explicit protection will end uncertainties about the strength of the banking system whenever a bank or thrift with substantial uninsured deposits (deposits of more than $100,000 per depositor) gets into financial difficulty. Today, this uncertainty is competitively damaging to American banks, because other industrialized nations are not afflicted by uncertainties about the strength of their financial institutions.

Benefit 9. By protecting all deposits, 100 percent cross-guarantees will eliminate the daylight overdraft risk. A daylight overdraft is the risk that a bank will not be able to cover its payments system overdraft at the end of a business day, because it suddenly has become insolvent. Because 100 percent cross-guarantees will cover all payments system liabilities of a bank or thrift, guarantors will effectively bear the daylight overdraft risk of a bank or thrift as part of assuming the overall solvency risk of that institution.

Benefit 10. Guarantor takeovers of failing banks and thrifts, before they become insolvent, will improve the overall efficiency of the economy by ridding the banking system of inefficient competitors. One of the hidden costs of the FSLIC debacle was that it burdened the banking system with overcapacity in the form of inefficient and insolvent S&Ls, whose losses were effectively being subsidized by the taxpayer.

Benefit 11. The 100 percent cross-guarantees will eliminate any need for depositor discipline. Because guarantors will protect all deposit balances, including balances of more than $100,000, there will be no need to rely on depositors to discipline the risk-taking proclivities of bankers. This will be the case, because 100 percent cross-guarantees will shift the responsibility for assessing the riskiness of a bank's or thrift's activities from a highly risk-adverse set of creditors (bank depositors) to that source of funds (the equity capital of guarantors) that is best suited to and willing to assess and price financial risks.

Benefit 12. The 100 percent cross-guarantee concept completely eliminates too-big-to-fail as a public policy concern. Today, regulators cower at the thought of liquidating a large bank for fear that uninsured depositors in that bank, and others, will stampede. However, because guarantors will protect all deposits, large depositors will not panic, even if the biggest bank is taken over by its guarantors and sold to another bank or liquidated. A weak bank may lose depositors who are dissatisfied with the bank's services, but depositors protected by 100 percent cross-guarantees will not flee out of fear for the safety of their funds.

Benefit 13. Because 100 percent cross-guarantees will eliminate practically all risk to taxpayers, federal deposit insurance no longer will represent a $3.3 trillion contingent liability of the federal government.

Benefit 14. The risk-deterring effect of risk-sensitive premiums will encourage banks to lend and invest more wisely than many banks do now. Wiser lending will lead to a more productive use of credit within the economy, which in turn will enhance economic growth. In particular, risk-sensitive premiums will choke the flow of credit-inflating speculative bubbles, such as occurred with farmland in the 1970s and commercial real estate in the 1980s. Bursting bubbles waste much capital and prolong the recovery from recessions.

Benefit 15. Risk-sensitive premiums will largely, if not completely, eliminate the cross-subsidy in flat-rate deposit insurance premiums, a subsidy that ow flows from good banks to the bad. In 1992, the cross-subsidy cost America's better banks and thrifts at least $5 billion. Risk-sensitive premiums will cause the nation's riskier banks and thrifts, as a group, to pay for most, if not all, of the insolvency losses the failed institutions in this group incur. The FDIC's new risk-based premiums will not materially reduce this cross-subsidy. Figure 3 contrasts the risk-sensitive premium rates the FDIC will be charging in 1993 with the likely structure of risk-sensitive premiums that will develop in the cross-guarantee marketplace.

Benefit 16. The 100 percent cross-guarantees will permit banks and thrifts to reduce substantially the total cost of their deposit insurance, including the cost of compliance. Figure 4 forecasts total costs (including compliance costs) of federal deposit insurance with 100 percent cross-guarantees. The decline in the net cost of cross-guarantees reflects the expected learning curve for the cross-guarantee process. The cross-hatched area between gross cost and net cost illustrates another benefit of cross-guarantees—guaranteed institutions can "net down" the cost of their cross-guarantees by becoming more active as guarantors, if overall cross-guarantee premium rates reflect too much pessimism about future cross-guarantee losses.

Benefit 17. The 100 percent cross-guarantees will permit banks and thrifts to escape the one-size-must-fit-all mentality of banking regulation. Regulation effectively will shift to the cross-guarantee contract. The risk-balancing incentives of risk-sensitive premiums also will serve to optimize risk-taking by bankers. This regulatory shift will give individual banks and thrifts the flexibility to negotiate contractual terms that will permit them to innovate at their own pace and to tailor their capital structures to the lending and investing strategies best suited for each institution.

Benefit 18. The 100 percent cross-guarantees will greatly improve opportunities for community banks by freeing them from the practical effect of the too-big-to-fail policy. No longer will community banks be constrained from accepting deposits of more than $100,000. Cross-guarantees also will have an especially beneficial effect on the cost of funds for community banks, in addition to permitting them to operate more efficiently. Without 100 percent cross-guarantees, many community banks will have an increasingly difficult time surviving in the banking marketplace.

Benefit 19. The 100 percent cross-guarantee concept easily could be extended to protect the liabilities of all providers of financial services, including securities firms, money market mutual funds, insurance companies, and even government-sponsored enterprises. This extension would eliminate the growing systemic risk these channels of funds intermediation pose to the taxpayer through the increased access they gained to the Federal Reserve's discount window under FDICIA (the 1991 banking legislation).

Benefit 20. The 100 percent cross-guarantee concept permits non-bank firms, endowment and pension funds, and even very wealthy individuals to participate as guarantors, provided that the cross-guarantee obligations of these firms are themselves guaranteed by other guarantors. Broadening the capital base available to guarantee bank and thrift deposits and other liabilities of these institutions will further strengthen the financial backing of America's depository institutions.

Benefit 21. Perhaps the greatest benefit of 100 percent cross-guarantees will be depoliticizing the banking business, because banks and thrifts no longer will have an incentive to seek political salvation for their banking troubles. Thus, 100 percent cross-guarantees will free the political process from the inherent flaws of federal deposit insurance.

CONCLUSION

Government regulation of banks and thrifts has caused great harm to the American economy, most recently by fostering several speculative bubbles whose bursting has saddled our economy with painful asset deflation and a sluggish economic recovery. Increased regulatory micromanagement only makes matters worse by employing an increasing number of bureaucrats to override the marketplace.

Congress must make a U-turn by enacting 100 percent cross-guarantees to privatize deposit insurance and all of the regulatory apparatus that now encrusts the nation's banking system. Only then will America begin to enjoy a safe, efficient and stable financial system.

NATIONAL EDUCATION STATISTICS ACT OF 1993

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. KILDEE. Mr. Speaker, today I am introducing, on behalf of myself and Mr. FORD of Michigan, the Clinton administration's National Education Statistics Act of 1993. This bill proposes the reauthorization of the National Center for Education Statistics [NCES] and the National Assessment of Educational Progress [NAEP] as a freestanding law.

I have often said that education is a local function, State responsibility, and important Federal concern—and the National Education Statistics Act of 1993 is one of the very legitimate ways that this Federal concern in education is expressed. In fact, this bill seeks to continue one of the oldest Federal educational activities—the collection, analysis, and dissemination of information on the condition and progress of education nationally and across the States—begun in 1867.

The administration's proposal would extend the current NCES authority through fiscal year 1999 including the administration of NAEP, the highly regarded and only national source of information on what students at various ages know and are able to do in specific academic subject areas.

Mr. Speaker, I am pleased to introduce this bill for the administration. It raises a number of issues which deserve to be considered in the context of our reauthorization of the Elementary and Secondary Education Act of 1965.

U.S. SHIP SAFETY AND COMPETITIVENESS ACT

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. KINGSTON. Mr. Speaker, today, I am introducing the U.S. Ship Safety and Competitiveness Act which will end featherbedding in our endangered merchant marine and increase our ability to compete in the world market. My bill would exempt U.S.-flag vessels from the arcane radiotelegraphy and morse code officer requirements of the Communication Act of 1934—provided they operate in accordance with the Global Maritime Distress and Safety System [GMDSS].

There are several reasons I am offering this bill.

Through years of international cooperation, the use of new technology has been agreed upon in conventions of nations. This new technology developed into a system called Global Maritime Distress and Safety System [GMDSS] and provides a more safe and comprehensive way of communicating on vessels.

Virtually all the competition of U.S.-flag vessels, including foreign ships calling at our own U.S. ports, have adopted and are able to implement this GMDSS system as their sole method of at-sea distress communications. This not only makes them safer but also much more efficient.

Under the GMDSS system, ships will be required to have two trained crew members already on board who will be responsible for the operation of the GMDSS system. Unlike the requirements of the Communications Act of 1934, crew members who are responsible for the GMDSS system may have other duties on board besides monitoring the radio. Under present law, morse code officers may perform other duties but must be compensated for it. Under the GMDSS system, a crew member who is hired to work as a cook, captain, or any other duty aboard ship may be responsible for the GMDSS system as well. The ship owner is not required to pay extra for this service.

Not surprisingly, our own U.S. Coast Guard announced in January 1993 that it will no longer monitor distress signals on Coast Guard vessels or at Coast Guard stations making morse telegraphy and the radio operators that operate them unnecessary. Furthermore, our own U.S. Navy no longer uses morse code on its ships.

By 1995, our new ships will be required to be equipped with GMDSS equipment but will still have to carry radiotelegraphy equipment—equipment that generates a morse code distress signal that will not even be heard by the U.S. Coast Guard. The radio officers required by law to operate this outdated equipment cost our shipping companies approximately $220,000 per ship per year. The cost to equip a ship with GMDSS is approximately $200,000—a one time cost.

Because our U.S. flag vessels are operating under severe cost disadvantages, the problem of requiring operators to employ crew members that are not needed is a serious problem that needs to be addressed. This burden and disparate treatment is one more example of the many rules affecting only U.S.-flag vessels and operators and thus making it all but impossible to compete with their foreign flag counterparts. I urge my colleagues to join me and cosponsor the U.S. Ship Safety and Competitiveness Act.

H.R.—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "U.S. Ship Safety and Competitiveness Act of 1993".

SEC. 2. EXEMPTION FOR COMPLIANCE WITH GMDSS PROVISIONS.

Section 352(a) of the Communications Act of 1934 (47 U.S.C. 352(a)) is amended—

(1) by redesignating paragraphs (5) through (8) as paragraphs (6) through (9), respectively; and

(2) by inserting after paragraph (4) the following new paragraph:

"(5) a United States ship operating in accordance with the Global Maritime Distress and Safety System provisions of the Safety Convention;".

TRIBUTE TO REV. OTHA GILYARD

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. UPTON. Mr. Speaker, as the U.S. Representative of Michigan's Sixth District, I want to express my deepest appreciation for the many fine years of service Rev. Otha Gilyard has provided to the Kalamazoo community.

Over nearly 20 years, Reverend Gilyard has become a leading force in our community. His dedication to the cause of social justice and improving the lives of others has left a lasting mark throughout all the Kalamazoo area. The void that he leaves behind will be a hard one to fill.

Reverend Gilyard has played a key role in the development of numerous local projects such as the Safe House. Presently, 400–500 people a week visit the Safe House to seek drug addiction counseling at any of the three meetings a day, 7 days a week.

"They become your community. They become family. I can call them in a heartbeat," said Willie Hampton, a Safe House graduate who has been clean from drugs for the first time in more than a decade. "I'm a miracle," Hampton said. Thanks to Reverend Gilyard and Safe House, there are many miracles walking around Kalamazoo today.

Other examples of projects spearheaded by Reverend Gilyard include Pride Place and the Family Institute. These projects have been instrumental in helping the people of Kalamazoo overcome problems and pull together as families.

The Kalamazoo Gazette describes Gilyard as one who "served as a bridge to unite corporate boardrooms and academic ivy towers with the daily realities of Kalamazoo's poor and downtrodden. He earned the respect of Kalamazoo's power brokers while persistently prodding them to do the right thing."

In addition to his many other accomplishments, Reverend Gilyard has been the strong leader of the Mount Zion Baptist Church. Through his own actions, he has instilled in the congregation the importance of transforming faith into deeds, a practice that we should all strive to follow in our daily lives. Actions do speak louder than words and never has this been more true than in the case of Otha Gilyard.

It is comforting to know that such a special person is being offered a new opportunity for service in another community. I am sure that he will continue to be a blessing to all the people around him. I offer my warmest wishes to Reverend Gilyard and his family in the years ahead.

He has served us all with his hard work. It is now our duty to try and fill the void. We wish him well in his new challenge in Columbus, OH. He truly touched our corner of the State for the better and for that we are all most grateful.

TRIBUTE TO PRISCILLA CHRISTINE CAPELLAN

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. DIXON. Mr. Speaker, I rise today to pay special tribute to Mrs. Priscilla Christine Capellan, who will celebrate her 90th birthday on November 19, 1993. Mrs. Capellan, who resides in my congressional district, has spent the majority of her life as a teacher and a champion for children.

Born in Calvert, AL on November 19, 1903, Priscilla was one of six children born to Mr. and Mrs. Abraham Franklin. After Mr. Franklin's death, Mary Franklin moved her family to Cincinnati, OH.

Craving a warmer and dryer climate, Priscilla moved to Los Angeles as a young woman, enrolling in Jefferson High School. While attending Jefferson, Priscilla performed day work to support herself. Following her graduation, she studied at Arizona State Teachers College—known today as Arizona State University—receiving her Bachelor of Arts degree in 1929.

In 1931, Priscilla married Mr. Ernest Ramos and to that union was born a son Gene E. Ramos. In 1940, following the end of her marriage to Ernest Ramos, Priscilla wed Mr. Joseph E. Turner. Priscilla and Joseph also had a son, Joseph R. Turner. In 1950, she married Mr. Eliseo Capellan; the Capellan's have been happily married for 43 years.

Following a long career as an elementary school teacher in Merced, CA, Priscilla retired from teaching and embarked on a second career at Delta Headstart Schools. In 1971, at the age of 68, she founded the Do Re Me Child Development Center. She served as the director of this pre-school program until retiring—for a third time—at the age of 87 years young.

Priscilla Capellan has been an active member of the N.A.A.C.P., Sigma Gamma Rho Sorority, American Legion Services, Arizona State University Alumna Association, and the Brotherhood Crusade. Mrs. Capellan has also been listed among the Who's Who of American Women for 1977–1978 and is a bearer of the International Date Line.

Mr. Speaker, I urge my colleagues in the House of Representatives to join me in honoring Mrs. Priscilla Christine Capellan on her 90th birthday, and especially in paying tribute to a lifetime devoted to providing quality education to literally thousands of children in the Merced and Los Angeles communities. I join with her family, including her grandchildren Gia, Geno, Anthony, Michael, and Shirley as well as an extended circle of friends, in saying well-done Mrs. Capellan. May the future continue to surround Priscilla Capellan with joy, serenity, and the love of her family and friends.

NORTH AMERICAN FREE-TRADE AGREEMENT

HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mrs. COLLINS of Illinois. Mr. Speaker, even though this body has already passed NAFTA, I feel it is incumbent upon me to point out more of my concerns not only because the Senate has not yet done so, but more importantly because the whole story should be told in the CONGRESSIONAL RECORD.

My concerns that the North American Free-Trade Agreement [NAFTA] will cost hundreds of thousands of American workers their jobs has been well documented, but were greatly heightened recently after seeing the CBS news program, "60 Minutes". In a segment entitled, "North of the Border", CBS reported that large American computer corporations are replacing American computer programmers with foreign programmers who are being allowed to enter the country by totally perverting the intent of our immigration laws.

According to CBS, there are computer companies that are firing Americans in order to bring the lower-wage foreigner in. In 1992, the first year after, what was to have been strengthening changes to our immigration laws went into effect, U.S. employers made applications to admit 53,000 foreign workers. So far this year, applications to admit 72,800 foreign workers have been submitted by American firms; and, even though foreign workers are supposed to be admitted only on a temporary basis under this program, temporary may be as long as 5 to 6 years.

Worse still, it appears that no one at the Labor Department presently investigates to ensure that employers are paying these foreign workers a prevailing wage. As a result, CBS found cases where foreign computer workers were receiving only subsistence allowances in exchange for their work.

So, what does this have to do with the NAFTA that former President Bush negotiated and that is widely supported by America's largest corporations? The issue is credibility. Why should we believe claims of big business that NAFTA is a winner, not a loser, for American workers when many of those same firms are the very ones that are laying off Americans and replacing them here in America with foreign, nonimmigrant workers. These companies have found a way to use cheap foreign labor even before NAFTA takes effect—they have brought foreign labor to them.

Assurances that the Bush administration's NAFTA will be good for American workers must be viewed in the light of similar claims that American corporations would not abuse the immigration laws to bring in cheap foreign labor.

Let me assure my colleagues that the victims of this immigration scam are American workers, who are losing their jobs. Within the same period of time Hewlett-Packard hired foreign computer programmers in California, it fired 2,700 of its employees in the San Francisco Bay Area.

Americans cannot, and should never have to, compete with indentured labor; yet, that is what is happening. On its program, CBS interviewed a computer programmer from India who was assigned to work for Hewlett-Packard in California. Her salary of $250 a month was still being paid back in India, and she was being paid $1,300 a month for living expenses in the United States. Altogether that comes to less than $20,000 a year, and according to CBS, nowhere near what Hewlett-Packard would have to pay an American.

But, the savings to U.S. corporations are even more dramatic than might be imagined, because Hewlett-Packard and others do not actually hire individual foreign workers. Instead, American companies contract with personnel firms to provide workers, and as a result, never have to pay taxes or benefits for the foreign workers who serve them. The State of California is reportedly investigating a number of these personnel firms that specialize in foreign workers for their failure to withhold State or Federal taxes and contributions for social security and other benefits.

United States corporations stand to realize even greater labor cost savings from producing in Mexico, if they believe—and they do—that NAFTA makes their investments in Mexico as safe as investments here in the United States. The average wage for Mexican industrial workers is only $2.35, or about a seventh of the average United States factory wage. In the maquiladora plants in the United States-Mexico border area, the average wage is less than $2.00.

So let me ask my colleagues: If American corporations are willing to fire United States workers so they can pay foreign workers a little under $20,000 a year, do you really not think they will be even more willing to replace American labor with Mexican labor they pay only about $5,000 a year?

I think all of us know the answer to that question. The problem with NAFTA is that while it may be a good deal for American business, there is very little in it for American working people. Mexico did not commit to lift its restrictions on wage increases so that workers could bargain fairly and competitively for wage rates that world class manufacturing, like that which is now taking place in Mexico, commands.

Violations of worker rights in Mexico cannot even be brought up for dispute settlement under the side agreement on labor that was negotiated. As a result, there is little incentive for Mexico's Government to lift restrictions on which unions can be recognized and the ability of workers to strike.

So, I advise my fellow Americans that when they listened to all the claims U.S. corporations have made about NAFTA and jobs, remember the "60 Minutes" program. Clearly, American business will go to incredible lengths to gain access to cheap foreign labor. NAFTA will only make cheap labor in Mexico more accessible for United States business than it is today.

MORE THAN A HOLIDAY

HON. LESLIE L. BYRNE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Ms. BYRNE. Mr. Speaker, recently we celebrated Veterans Day—a day set aside to honor the men and women who sacrificed greatly to preserve freedom and democracy in our country and in nations throughout the world. To many, Veterans Day is just another Federal holiday, but one young girl, a constituent of mine, sought the true meaning of Veterans Day and eloquently captured it in a story she wrote for a local newspaper. Maxine Giammo, a 12-year-old seventh grader at Frost Intermediate School, tells an inspirational story of courage, bravery, compassion, and triumph. The story is about her neighbor, Bob Grimes, a World War II veteran shot down in Belgium on October 20, 1943. I submit it to the CONGRESSIONAL RECORD so that everyone may read it, reflect upon it, and be grateful for the gifts that our brave veterans have afforded us. I am also confident that you will find in this story a renewed appreciation for the youth of our country. I am honored to represent Bob Grimes and Maxine Giammo.

[From the Fairfax Journal, Nov. 10, 1993]

GIRL LEARNS FROM VETERAN

(By Maxine Giammo)

I used to think that Veterans' Day glorified war. That it was just a day to honor people who had killed others. Until I heard about my neighbor, Mr. Bob Grimes' recent trip to Belgium.

He and his wife just returned from a reunion with the various "helpers" who had saved his life after his plane was shot down by German war planes in 1943.

Fifty years ago, on Oct. 20th, Mr. Grimes and nine other crew members began their fifth mission. They flew out of southwest England, heading to Germany. While flying over Belgium, one of the engines of their B-17 developed problems, and they had to fall out of formation.

They then became involved in an air battle with German planes. Three members of Grimes' crew were killed, and the tail of the plane was gone.

As the plane circled to the ground, the remaining seven members parachuted out. Unfortunately, the copilot, Art Pickett, died when his parachute failed to open fully and he hit the side of a church. The rest of the crew members landed within 30 miles of each other. Mr. Grimes had been shot in the leg while in the plane. As a result, he had trouble walking after landing near the small town of Silly. Luckily, a man and a young boy found him and promised to return that night.

But they didn't. So Mr. Grimes had to risk finding help on his own. He struggled to the nearest house, but was motioned away when he knocked on the door. Apparently, there were Germans inside the house. He hid in the outhouse until a woman from the house brought him some food. She said that he couldn't stay there, but motioned him on to the next house.

At first, the couple there also waved him on. But when they saw his leg wound, they realized that he couldn't go anywhere. They gave him iodine for this leg, and he spent the night on the kitchen floor. The Germans were looking for him and his surviving crewmen, so Mr. Grimes was moved to various

houses during the next week. He remembers few details of this because his leg had become infected, and he was delirious with fever.

Finally, he reached Brussels. There, he stayed above a church and was cared for by doctors who worked with the Belgian resistance. I cringed as Mr. Grimes described the two futile attempts to dig the bullet out. A third doctor agreed to operate if Mr. Grimes could walk in and out of the clinic after hours. After viewing the leg, this doctor concluded that he could best reach the bullet by cutting in from the opposite side of the wound, Mr. Grimes was awake for this because there was no anesthesia.

Mr. Grimes remained in Brussels while he recovered. During this time, he used a fake French identification card, but because he spoke French poorly, he tried to avoid any encounters with German soldiers.

By late January, he was well enough to travel. He joined a mixed group of escaped Americans and Belgians working with the resistance group, "Comet." They traveled southwest through France to Spain, which was a neutral country.

Two members of the group drowned crossing what they thought would be a small stream, but was really a raging river. One of the Americans turned back toward France at this point.

He was captured by the Germans and imprisoned until the end of the war. The remaining four members of the group were arrested by the Spanish militia as they crossed the Pyrenees mountains. One week later, the American consulate arranged for them to go to England. From there, they were flown home.

This whole story has drastically changed my views about those who fight in wars. Especially when I realized that Mr. Grimes was only 20 years old when this happened. That's only 8 years older than I am. And I especially admire the people who risked their lives to help save Mr. Grimes. Thanks to his navigator, Jim McCoy, Mr. Grimes had a chance to see them again last month.

Two years ago, Jim McCoy placed ads in various Belgian newspapers asking for any information on the people, the "helpers" who had saved their lives. He received numerous replies and began planning a reunion. Unfortunately, McCoy died earlier this year. However, the people in the various small towns involved completed what McCoy had started, and the reunion was held in October to celebrate the 50th anniversary of the crash.

Mrs. McCoy and her daughter were able to attend. They and Bob and Mary Helen Grimes were the guests of honor at various celebrations over a three-day period. In one ceremony, the name of the street where the copilot died was changed to Place de Pickett, in his honor. There was also the unveiling of a small monument to the three men killed in the plane. Mr. Grimes met with the son and daughter of the first couple who had helped him, and walked on that same kitchen floor again.

Several hundred people attended the events. The Grimes received many gifts, including a silk collar made from the parachute and trimmed with Belgian lace, and a wood carving depicting the events 50 years ago.

A woman Mr. Grimes didn't even know ran up from the crowd as he was walking down the street to give him his favorite gift. It was a large silver shoehorn her husband had made from a piece of the crashed plane.

As I think about this story, one thought runs through my mind. Who saved whom? And how can you thank someone for that? Mr. Grimes risked his life to save the Europeans, and they risked theirs to save him. This is what I'll be thinking about tomorrow.

HOW TO BRING USFSPA INTO THE NINETIES

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mrs. SCHROEDER. Mr. Speaker, when Congress passed the Uniformed Services Former Spouses Protection Act [USFSPA] in 1982, the world was a very different place. The cold war was raging. The Soviet Union occupied Afghanistan and had walked out of the strategic arms negotiations in Geneva. NATO allies deployed missiles throughout Europe and the United States mounted its largest peacetime buildup ever. Conventional wisdom said that our military was to be armed to the teeth, and staffed to the hilt, far into the future.

Now the world is very different. The cold war is over and the Iron Curtain has crumbled. The Soviet Union is the Commonwealth of Independent States, and the United States military is in the midst of its biggest drawdown effort in history.

In 1991, to encourage downsizing, Congress created two new voluntary programs, the Variable Separation Incentive [VSI] and the Special Separation Benefit [SSB]. When military members choose these benefits, they do so in lieu of their traditional retirement packages. While these benefits have been incredibly effective in streamlining our military forces, they have also created a huge loophole in USFSPA, because neither program is covered.

Under USFSPA, military retirement is considered property and is divisible according to State divorce law. USFSPA has prevented thousands of unskilled and often elderly former military spouses, who had devoted their lives to the military, from slipping into financial distress. It was impossible however, for Congress in 1982 to anticipate the drawdown needs of the 1990's, and untold numbers of former military spouses, possessing court orders splitting retirement benefits, are destitute when the military member chooses VSI or SSB.

This is why I am introducing legislation to bring both VSI and SSB under USFSPA. My legislation does not mandate a division of any military benefit. Nor does it nullify divorce law in any State. It simply clarifies congressional intent that no matter which voluntary benefit the military member chooses, be it retirement, VSI, or SSB, the spouse's contribution to military service is no less significant.

Because Federal law has been silent since VSI and SSB were created, military members and former military spouses have spent thousands of extra dollars in attorney fees, court time, and personal hardship, to determine how these benefits should be divided. Courts in Texas, Arizona, and Georgia have already considered the question and ruled that VSI and SSB are divisible. Other States have not yet ruled. New Federal legislation is needed to establish a clear and fair national standard.

IN CELEBRATION OF THE 500TH ANNIVERSARY OF THE DISCOVERY OF PUERTO RICO

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. MENENDEZ. Mr. Speaker, I rise today in recognition of the 500th anniversary of the discovery of the island of Puerto Rico. Tonight, in the Justice William Brennan Court House in Jersey City, NJ, the Puerto Rican community will come together to celebrate the history of the island, and their continuing ties to its culture.

The evening's ceremonies have been coordinated by co-chairpersons Nidia Davila-Colon and Lourdes Arroyo, with Hudson County Executive Robert C. Janiszewski serving as the honorary chairperson. As part of the festivities, we are pleased to welcome Postmaster George J. Ortiz, who on behalf of Mr. Ivan O. Puig, Caribbean district manager for the U.S. Postal Service, will unveil a special commemorative stamp celebrating the quincentennial.

Mr. Speaker, I'd like to share with my colleagues some of the rich history of Puerto Rico, which has shaped the nature of the island and its people.

During the pre-Columbian era, the island was populated by the peaceful Taino Indians, who made their lives fishing and hunting the indigenous game. These were the people first encountered on the island by Christopher Columbus five centuries ago. In 1508, the Spanish Crown colonized Puerto Rico, and in 1510, King Ferdinand appointed Juan Ponce de Leon as governor.

By 1595, the British had become aware of Puerto Rico's strategic position as the gateway to the West Indies. Under Sir Francis Drake, the British attacked the island, but to no avail. In 1598, a second attack was launched by England, this time with the aid of France and Holland, but the Puerto Rican defenders held fast.

During the 18th century, the economy of Puerto Rico grew dramatically with the establishment of commerce between Barcelona and San Juan, and the authorization of trade with Venezuela and Santo Domingo. Also during that century, the first Puerto Rican coin was struck, and the first civil, geographical, and natural history of the island was written. Toward the end of the century, Puerto Rico provided safe harbor to rebel ships during the American War of Independence. In 1797, the British launched one last attack on Puerto Rico. The heroic defense of San Juan was so extraordinary that the Spanish Crown bestowed a special commendation on the Puerto Rican people. It was during this century that the people of the island really began to develop a self-identity and culture truly separate from that of Spain, and more islanders felt a bond of loyalty to their land.

The 19th century also brought great change to Puerto Rico. In 1809, the first representatives of the island were sent to the Spanish Government. In 1812, the first Puerto Rican Constitution granted islanders Spanish citizenship. In 1819, the first treaty with the United

States allowed the sale of much of the island's sugar crop to the United States. In 1868, the famous insurrection against the Spanish was provoked by a group of rebels, and was known as "El grito de Lares." It was during that year that the first political parties were founded. Slavery was abolished on the island in 1873, and 24 years later, in 1897, Spain granted autonomy to Puerto Rico; the first and only system of self-government known to the island. However, that independence was short-lived after the U.S. invasion during the Spanish-American War, following which, Puerto Rico became a possession of the United States. At the close of the century, in 1900, the Foraker Act invalidated the laws passed by the Puerto Rican Government, and supplanted them with U.S. law.

In our own century, Puerto Ricans were granted United States citizenship by the Jones-Shafroth Act in 1917, but it was not until 1932 that Puerto Rican women were able to exercise their right to vote. In 1937, tragedy struck when a group of unarmed Puerto Rican nationalists were shot by police after the governor cancelled their permit to march. The "Masacre de Ponce" resulted in 21 deaths and many wounded, and was protested as a terrible violation of human rights by the American Civil Liberties Union. In 1946, the first native Puerto Rican governor, Jesus T. Pinero, was appointed by the president, and in 1948, Luis Munoz Marin, of the Popular Democratic Party, became the first governor elected by the people of the island. In 1950, Congress approved a constitutional form of government for Puerto Rico, and a referendum on commonwealth status was approved by popular referendum. On July 25, 1952, the Commonwealth of Puerto Rico was established, the Puerto Rican Constitution was adopted, the Puerto Rican flag was officially unfurled, and the National Anthem "La Borinqueña," was heard. Fifteen years later, another referendum on the island's status was held, in which the voters chose to continue the Commonwealth. In 1972, the United Nations Decolonization Committee declared that Puerto Rico had the right to be independent. Eleven years later, on November 14, 1993, the people of Puerto Rico reaffirmed their support for the Commonwealth. And now, tonight, we celebrate the 500th Anniversary of the discovery of Puerto Rico. I ask my colleagues to join me today in recognizing this great historical event, and in looking forward to the next 500 years of close and productive relations with the people of Puerto Rico.

CLARK STATE COMMUNITY COLLEGE PERFORMING ARTS CENTER

HON. DAVID L. HOBSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. HOBSON. Mr. Speaker, in a nation whose cities and communities are often preoccupied with fighting crime and battling our society's wrongs, there is something very right happening in my hometown of Springfield, OH.

Recently, I attended the opening of the new Performing Arts Center at Clark State community College. The Clark County community came together to help fund this 84,000 square foot center, mainly with contributions from private citizens, local corporations and foundations.

The new Performing Arts Center will greatly enhance the cultural life of our community through educational programming in performing and technical theatre, orchestra performances, art presentations, plays, recitals, lectures and more.

I want to extend special recognition to Dick and Barbara Kuss, Harry Turner and Al Salerno for their hard work and for whom the center's facilities—the Kuss Auditorium, Turner Studio Theatre and Salerno Educational Center—are named.

Through their help and many, many others, the Clark County community and Ohio will be an ever better place to call home.

INTRODUCTION OF CAMPAIGN SPENDING LIMIT LEGISLATION

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. POMEROY. Mr. Speaker, I rise today to introduce legislation which would bring a much needed reform to our current campaign finance system. Spending on campaigns has spiraled out of control in recent years. It has become common for candidates running for Congress to spend millions of dollars to win an election. In the 1976 election cycle, $115.5 million was spent. In the 1990 election cycle, $445 million was spent—that's an increase of 360 percent. In 1992, the average house race cost $557,403, costing two times as much money as it did in 1982. You will find few who don't believe that something must be done about this.

By bill offers a solution. It would limit spending to $600,000 per house race. This legislation will become effective once spending limits are deemed constitutional. This could happen once a constitutional amendment is passed or the Supreme Court reinterprets Buckley versus Valeo. I have cosponsored House Joint Resolution 20 which would amend the Constitution to allow spending limits.

In some districts this new limit may not make much difference, but in others this will drastically limit the ability of wealthy individuals to "buy" their seat while putting an end to the money chase. This is a desperately needed step in overhauling our current campaign finance system and helping restore the faith of the American people in their elected officials.

Mr. Speaker, on several occasions I have joined my colleagues in their calls for comprehensive legislation to rework our present campaign financing system. I made a pledge to my constituents in this regard and will continue to work hard to see that we adopt meaningful reform measures during this session. My bill is a step in that direction. I urge my colleagues to support my bill and by doing so send a strong message showing they support reform of the flawed system we currently operate under.

SUPPORT HUMAN RIGHTS OF CHILDREN

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. MILLER of California, Mr. Speaker, I commend to my colleagues the following article on human rights of children. It was authored by our former colleague and long-time human rights advocate Father Robert Drinan.

Through this article, I would like to bring to your attention the renewed international commitment to human rights of children. The Convention on the Rights of the Child adopted by the United Nations in 1989 has made great headway into ending the widespread offenses against children. Sadly, the United States has yet to sign and ratify the convention which would focus attention on the continued neglect of children here at home.

A NEW WORLDWIDE COMMITMENT TO THE RIGHTS OF CHILDREN

(By Robert F. Drinan)

When the convention on the Rights of the Child was adopted by the General Assembly of the United Nations in 1989, no one could have predicted that, by May 1993, 136 countries would have ratified the convention and 23 additional nations would have signed but not yet ratified it.

Its 54 articles endorse, for the first time in international laws in one instrument, a broad spectrum of social and economic as well as civil and political rights. The committee established to monitor the way nations carry out their new obligations is in place, and in 1993 it received and reacted to the reports of 16 nations. Made up of experts from 10 countries, the committee is also visiting nations in Africa and Latin America.

The adoption of the convention by the United Nations has set off a worldwide surge of activities on behalf of children. In Namibia the concept of child rights was made explicit in the new Constitution. In Costa Rica and Norway a children's ombudsman has been established. Egypt has created a national commission for children. Bolivia has brought its legislation into line with the convention's provisions. Brazil is engaged in an extensive media campaign to publicize the article on child rights in Brazil's new 1990 Constitution.

The plight of children is the principal reason for the amazingly prompt reaction by almost all of the nations in the world to the U.N. convention. Children constitute almost 50 percent of humanity and are the victims of political and economic chaos almost everywhere. More than 1.5 million children were killed in wars over the last decade and more than 4 million were physically disabled. Approximately 5 million are now in refugee camps and the number is increasing daily. The "silent emergencies" of malnutrition and preventable diseases are claiming the lives of 35,000 children every day.

Among these victims girls suffer the most. In many countries they have lower survival rates than boys, in part because they are given less food and health care. In education girls also suffer discrimination. Of the 100 million children between the ages of 7 and 12 who are not in school, almost 70 percent are girls. If present trends continue, the number of children not in school could double by the year 2000.

The increasing number of street children is unbelievable. A United Nations Children's

Fund figure of 100 million children living on the streets is generally accepted. There are 40 million street children in Latin America, 25 to 30 million in Asia and 10 million in Africa. The number of these children living in complete or partial abandonment is destined to grow by tens of millions. Children who are sexually exploited are also shockingly numerous. Human rights groups report that in South and Southeast Asia there are hundreds of child prostitutes. The Convention on the Rights of the Child places an obligation on all of the signatory nations to work for the elimination of all such conditions. Its articles address the question of child abuse in every form, spelling out for the first time in an international convent those rights which are now guaranteed by international law. No form of neglect of children is left out.

The convention is especially severe in condemning child labor. This barbarous practice—banned in the United States in the 1920's after decades of struggle—allows millions of children to knot carpets in India and Pakistan, to harvest bananas in Brazil, to salvage rags in Egypt and to harvest cotton in the Sudan. Although the International Labor Organization in the 1920's condemned these practices, they continue and even grow in frequency.

The official worldwide ratification of the Convention on the Rights of the Child, which occurred in a period unprecedented for its brevity, has prompted action by nongovernmental groups. In London, a unit entitled "Defense for Children International" issues a publication filled with information about the rights of children everywhere. Other nongovernmental organizations are taking advantage of the worldwide enthusiasm to implement provisions of the new U.N. document.

The saddest part of this otherwise upbeat story is the fact that the United States stands ignominiously among the 29 out of 180 countries that have neither signed nor ratified the U.N. convention—which puts us in the company of Iraq, Saudi Arabia and Somalia.

The Clinton Administration has all but pledged it would recommend that the U.S. Senate ratify the convention. The American Bar Association and scores of legal and public interest groups have urged the Senate to act. No Senate resistance is visible, but in all probability reservations will be proposed—some of them born of excessive will be proposed—some of them born of excessive legalistic caution. The Administration has also pledged that it will urge Senate ratification of other major human rights treaties such as the convenant eliminating discrimination against women. The State Department will apparently urge the White House to send up the treaties to the Senate one by one rather than transmit them all in one action. Where the U.N. Convention on the Rights of the Child fits in this schedule is not clear.

For those who question whether ratification of the convention will benefit children in the United States, the clear answer is that it will. There are several areas where the United States is de facto or de jure not in compliance. One obvious example is that, in the majority of states, a person can be executed for homicide committed while he or she was a juvenile. This is forbidden in the U.N. convention, and indeed only six nations in the world legalize the death penalty for children who took a life.

The widespread neglect of children in the United States—often as a result of racial or sexual discrimination—is also forbidden by the convention. American children are more likely to die in their first year of life than infants in 18 other countries. African-American babies suffer an infant mortality rate that is higher than the rate in 31 other nations, while their polio immunization rate lags behind that of 69 other countries. The rate of poverty among U.S. children continues to rise. In the 1960's, 14 percent were poor, whereas today that figure is 22 percent.

If the United States were to ratify the convention, it could be reprimanded by the U.N. committee because of its failure to live up to the promises to children that ratification implies. Such a rebuke from a U.N. committee could be salutary and efficacious.

Amid all the world's violence of the last five years it is heartening to be reminded that, during this very time, the world's nations have been aroused to unprecedented concern for the rights of children. A legal and moral revolution on behalf of children has occurred over a short period of time. Promises and pledges have been made. The results are not yet in hand, but when the vast majority of nations speak out on an issue of moral and legal concern, that statement is likely to have impact. For example, in every session of the United Nations from its very beginning, at least one of its agencies has spoken out against South African apartheid. This long series of declarations was clearly instrumental in the development of a moral consensus that apartheid must go.

From time immemorial offenses against children have been regarded as odious in every nation, and national laws and customs contain countless measures protective of children. Humanity's basic instinct to extend tenderness to children in special ways has now become a part of international law, and measures to enforce it are in the process of being put in place.

Spiritual writers tell us that the "desire of the desire" to love God and humanity can be the beginning of wonderful things. Humanity's new pledge to grant justice and kindness to children may be the beginning of a whole new world.

THE 20TH ANNIVERSARY OF THE TV SPORTS BLACKOUT BILL

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. BRYANT. Mr. Speaker, this year marks the twentieth anniversary of the so-called "TV Sports Blackout Bill"—legislation which required television stations to carry local sports games if the event was sold out. President Nixon signed this bill into law September 14, 1973—less than 2 days before the start of the 1973 NFL season.

It was the decision of the late Phil Cochran, the NFL's Broadcast Coordinator, to blackout Redskins games in Baltimore—as well as Washington, DC, which led to the enactment of this measure. The bill was introduced, discussed, marked up, and passed in a record nine weeks.

My good friend Phil Hochberg has written an excellent article, which appeared in the Entertainment Law Reporter, describing the events which led up to this historic event and preserved fans' access to otherwise unavailable games. I commend his article to your attention.

[From the Entertainment Law Report, November 1993]

SOLONS CLOBBER NFL: THE 20th Anniversary of the TV Sports Blackout Bill

[by Phillip R. Hochberg]

September 14—just after the beginning of this year's National Football League season—marked the twentieth anniversary of perhaps the most damaging interview in sports history.

No, not the grammatically correct, but factually inaccurate "The Giants is dead" (Charley Dressen on the 1951 New York Giants, who came from 13½ games back to win the pennant.) Nor "Is Brooklyn still in the league?" (Bill Terry on the 1934 Dodgers who knocked Terry's Giants out of the pennant.) No, this one was in the Washington Post in the summer of 1973 when the late Bob Cochran, then the NFL's Broadcast Coordinator, told the Post that the League intended to continue blacking out Redskin home games not only in Washington, but in Baltimore, as well.

Sold-out Redskin games—they had only been selling out for a half-dozen seasons at that point—were occasionally seen on Baltimore stations and could be picked up in Washington. But Cochran indicated that practice would end.

He said the League was "well within [its] rights to order the blackout by the Baltimore Station. Nor are we going to listen to fan mail saying, 'I want this' and 'I want that!' In this society, people are wanting to get something they shouldn't necessarily have to get . . . they're so spoiled."

When asked why the Redskin home games should not be seen in Baltimore, Cochran replied, "That's our business." He said he had made the decision and had no intention of changing his mind.

The 93rd Congress helped him change his mind.

The legislation—Public Law 93-107—was passed in almost record time nine weeks from introduction to hearings to mark-up to passage in both Houses to Conference to Presidential signature, the Friday before the start of the 1973 NFL season. As Rep. Jack Kemp said, the bill went through as fast as the 1964 Gulf of Tonkin Resolution.

The law changed the viewing habits of the nation. Few can remember that prior to 1973, home games, sold out or not, just weren't televised by the NFL. Instead neutral games were brought into the market, a policy the NFL continues today when there is no sellout.

Pressure had actually begun a year before when the NFL was asked by President Richard Nixon, through his Attorney General, to lift the blackouts in the 1972 playoff games. Commissioner Pete Rozelle said no.

Cochran's interview changed the entire equation. Here was a sports league, not only facing down the President of the United States, but telling the world that it and it alone would make any decisions dealing with television. Meanwhile, the three national television networks—the principal proponents of the bill—couldn't have been happier.

The networks saw it as a three-fold gain: they could substitute more popular sold-out home games for the neutral games: they could get that better product at no increases in the price of their existing contracts; and they were determined to deny sports leagues the chance to sell games to cable and pay TV.

Indeed, if the networks could get sold-out home games on TV for one year, it would trigger an obscure FCC regulation that

would have barred sold-out home games from pay for five seasons.

Even beyond that, the networks were betting that once sold-out NFL home games appeared on local television, the League would find itself hard-pressed to take them off.

While the Senate version would have required any team with a single game on local of network television to make available any sold-out game to local TV, the House bill applied only to games that appeared on the networks—a huge difference to Major League Baseball, the National Basketball Association, and the National Hockey League, since they sold out many games, but had less than three per cent on the networks.

On Friday, September 14, President Nixon signed Public Law 93–107, less than 48 hours before the beginning of the 1973 NFL season. Passage of the legislation was front-page news in NFL cities.

Few people today realize that the law requiring that blackouts be lifted on those sold-out network games expired at the end of 1975 and that the professional leagues have "voluntarily" lifted the blackouts for the past seventeen years. "Voluntary," as in, "If you don't lift the blackouts, we'll simply make the law permanent."

The impact of the law? Certainly, the networks got what they wanted—at least what they wanted in 1973—in terms of the more attractive games, a change in their contract terms without paying anything additional for it, and denying games to cable and pay. They short-circuited any thoughts that the NFL might have had about cable. In fact, it wasn't until 1987 that even a limited cable deal was worked out by pro football.

The NFL obviously lost business opportunities. No-shows increased, especially at late-season, bad weather games, resulting in concession and parking losses. In the next series of television contracts, however, it's safe to assume that at least some of the loss was recouped in rights payments. Moreover, at the present billion dollars plus a year for TV rights, the NFL's contract negotiators have shown their continuing skills.

And the public got something too, in fact, "something for nothing." It's never very hard to justify taking someone else's property as long as it doesn't cost you anything. As former Senator Russell Long used to say, "Don't tax you, don't tax me, tax that guy behind the tree."

But was it all a win-win situation? Was there any downside to Public Law 93–107? Here's a modest response: Requiring the NFL to lift the blackouts has led to a Congressional attitude that anything innovative that football might consider in the new media by definition is suspect. And that, it is suggested, has really retarded benefits for the public. For example, what's wrong with the idea that a Redskin fan living out of town should be able to buy the Washington games on pay cable? Right now that fan is shut out of most Redskin games, a victim of geography. If you're willing to pay $5 or $10 or $20 to watch a game that's otherwise available, why not have the opportunity? But all the NFL has to is consider it and Congress raises its collective eyebrow and warns the NFL (Don't even think about it without clearing it here first"), remembering its success of twenty years ago.

TRIBUTE TO SENATOR FRANCISCO R. SANTOS

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. UNDERWOOD. Mr. Speaker, Francisco R. Santos from Sinajana, Guam recently passed away. I'd like to share with my colleagues some thoughts that I have about this great leader.

Senator Santos died at the relatively early age of 62, yet he had over 23 years of experience in the government.

He served 11 consecutive terms as a Guam senator and had extensive experience with issues affecting Federal territorial relations. For four terms, he was chairman of the Committee on Federal, Foreign and Legal Affairs. He was a member of every political status committee or commission formulated to review Guam's political status and to pave the way for a new political relationship with the United States.

At the time of his death, Senator Santos was the vice chair of the Commission on Self Determination.

As you may recall, the Guam Commission on Self-Determination is the organization which has represented and continues to represent the government of Guam in our outstanding quest for commonwealth status.

In spite of having a busy political career, Senator Santos made the time to serve the community.

He was a founding member of the Guam Humane Society; chairman of the Guam Special Olympics; vice chairman of the Governor's Committees on Children and Youth, and a founding member of the Sinajana Civic Improvement Club, which was instrumental in reducing the amount of crimes committed by youth in the villages of Guam.

Senator Santos is survived by his wife, the former Isabel Cruz Borja of Chalan Pago and five children.

It is comforting to know that one of his sons was recently elected to the Guam Legislature to complete his father's term. So, he is serving on the same committees that his father served on, and he has taken over the chairmanship of the Federal Territorial Relations Committee.

Senator Santos was one of Guam's most unselfish and dedicated public servants who exhibited the highest levels of integrity and honesty. May we model our political and personal lives on such goals.

TINNIN FAMILY DESERVING OF NCRD AWARD FOR SERVICE TO THREE RIVERS COMMUNITY COLLEGE

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. EMERSON. Mr. Speaker, I rise today to offer both my congratulations and appreciation to the Nelson B. Tinnin family who will be receiving an award from the National Council for Resource Development for their lifelong commitment to education and specifically, Three Rivers Community College (TRCC).

Every year, the National Council for Resource Development (NCRD) recognizes various organizations and individuals that have made significant contributions to 2-year colleges. The NCRD is a professional organization concerned exclusively with government and private fund raising for 2-year colleges and is an affiliate of the American Association of Community and Junior Colleges.

The Tinnin family, the late Missouri State Senator Nelson B. Tinnin, has wife Lora B. Tinnin, and their son, the late Brent B. Tinnin, have demonstrated a continuing commitment to education and TRCC through their work as teachers, legislators, and benefactors for over six decades.

Both Nelson and Lora were school teachers. He taught agriculture in Missouri for 17 years and served 7 years as a school principal. He was elected to the Missouri State Senate in 1960; one of his first major efforts was to help gain passage of the Missouri Junior College Act of 1961. This act permitted the establishment of junior college districts in the State. Senator Tinnin also provided leadership for the State law that gained funding for the new junior colleges. Four years later he worked with local residents of Southeast Missouri to create a junior college in Poplar Bluff. The Three Rivers Junior College District was born a year later, in 1966. During his political career, Nelson Tinnin became one of the most influential State senators in Missouri. However, he remained a staunch supporter of education and effectively used his considerable influence, as chairman of the Senate Education Committee, to advance post secondary education in Missouri.

The Tinnin's son, Brent, was a local businessman when the Three Rivers Junior College District was established. He immediately recognized its importance and worked tirelessly to get funding to construct a permanent campus. To accomplish this, he convinced all other local Southeast Missouri municipalities and political subdivisions to forgo their requests for Economic Development Administration [EDA] funding for 1 year. This ensured that TRCC would be first in line for funding. He then lobbied the Governor of Missouri to release the funding and succeeded in gaining $1 million to start campus construction. Bolstered by the million-dollar gift, TRCC was able to solicit support to construct its present campus without ever having to present a bond issue to the district's taxpayers. Brent Tinnin also served, during this time, as an elected TRCC trustee and was directly involved with early college development.

The Tinnin family has also supported TRCC as financial benefactors. Initially, a $10,000 endowment to provide scholarships for students was established. Then in January 1993, Lora B. Tinnin presented TRCC a check for $993,624.49 in memory of her late husband and son. The money is to be used to construct a fine arts center on the TRCC campus. This gift, the single largest in TRCC history, brings the Tinnin family's total contributions to the college to $1.1 million.

The college district of TRCC extends over 2,700 square miles in Southeast Missouri, from the Ozark foothills to the Mississippi

Delta. A significant proportion of the students enrolled at TRCC are both low-income and first generation college students. Because of the generosity of people like the Tinnin family, TRCC is able to serve this area in need and do an outstanding job in fulfilling their commitment to the community.

The Tinnin family has given so much to education in the State of Missouri and Three Rivers Community College. Their tireless commitment has continued and will endure through the bright and talented young people given educational opportunities because of their generosity. On behalf of the people of the State of Missouri, I would like to offer my sincere appreciation and congratulations to Lara B. Tinnin.

IN HONOR OF RONALD SINGLEY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. STARK. Mr. Speaker, today, I would like to take a few minutes to recognize Ronald Singley's distinguished career of service to the school and community of Milpitas, CA.

For more than 30 years, Mr. Singley has worked for the Milpitas Unified School District. In 1967, Mr. Singley became the principal of Thomas Russell Junior High School. In 1969, he served as principal of Milpitas High School, and later in 1973, for Curtner Elementary School. In 1976, he became director of personnel for the district and finally, its associate superintendent in 1987 where he has served ever since.

Mr. Singley has also been district negotiator since 1977 and developed and implemented the disaster preparedness plan and safety program for the district.

Mr. Singley has also served on a variety of educational organizations. From 1975 to 1976, he was the president of the Milpitas Management Association. From 1980 to 1981, he was president of ACSA Region 8 and, in 1992, he became president of the Santa Clara Country Schools Insurance Group.

Even with all his duties at the Milpitas Unified School District, Mr. Singley still found time to serve his community including serving as president of the Milpitas Rotary Club in 1974 and 1975.

On January 7, 1994, Ronald Singley's colleagues will hold a retirement dinner to acknowledge him as an outstanding associate superintendent, and I wanted to join with those who have recognized him for his monumental achievements.

Ronald Singley will be sorely missed at the Milpitas Unified School District.

INTRODUCTION OF CONCURRENT RESOLUTION EXPRESSING THE SENSE OF THE CONGRESS REGARDING THE IMPEDED DELIVERY OF HEATING FUELS TO THE PEOPLE OF BOSNIA-HERZEGOVINA

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. MARKEY. Mr. Speaker, I rise today to focus the attention of my colleagues on the fate of the people of Bosnia-Herzegovina. Winter is approaching, temperatures are dropping, and snow already has fallen to the ground. The people of this region are struggling for their very existence. Not only are their lives threatened by the direct effects of a lengthy war, but they must also face a second bitter winter without the supplies and resources that are essential for survival.

At the October 21, 1993 hearing of the Commission on Security and Cooperation in Europe, the Helsinki Commission, witnesses testified about the current suffering of the people and about their likely fate if immediate steps are not taken to ensure their survival through the winter. Serb militants have impeded the delivery of necessary winter supplies to Bosnia-Herzegovina; they are deliberately impeding the delivery of natural gas which is essential for heating during the winter. This intentional deprivation of resources is one of the many aspects of the repugnant policy known as "ethnic cleansing." The restriction of winter survival resources is, indeed, another mechanism of genocide.

I rise today to suggest that we are not helpless. We are not rendered powerless by our distance from the conflict. We are only silenced by choice and by apathy for a situation that has fallen out of the headlines and has been relegated to the back pages of our newspapers. I am convinced that we can help. I know that we can make a difference to the survival of the citizens of Bosnia-Herzegovina.

I am here before you today to introduce a resolution urging the President to take immediate steps to bring about the cutoff of natural gas to Serbia, and Belgrade in particular, until such time as the Serbs restore the flow of natural gas to Sarajevo and to the rest of Bosnia-Herzegovina. The pipeline that delivers natural gas to the Bosnians runs first through Hungary to Serbia prior to reaching Sarajevo. Let us urge President Clinton to work with the United Nations, the Hungarian Government and the other related governments to effect a cutoff of natural gas at a point prior to the pipeline'e entry into Serbia. If a parity of conditions could be effected, then the Serbian leaders would be forced to realize the severe plight they are creating for the Bosnians. It is time for the United States to break our silence and to take the initiative on this international tragedy.

The best possible outcome for the people of the former Yugoslavia would be the unobstructed delivery of natural gas and other heating fuels to all areas of the region. We would like to see all peoples of the region face the coming winter secure in the knowledge that they will have the resources to heat their homes and cook their food. The Serbian authorities have the ability to make that outcome a reality. They have had the ability to restore heat to all areas for many months. As winter begins, it is by choice, not necessity, that the Serbian authorities have deprived the people of Bosnia-Herzegovina of heating fuel. We must force the Serbian authorities to remove this threat from the people of Bosnia-Herzegovina.

Last year, during a relatively mild winter, the people employed desperate measures to ensure their survival. They cut down and burned their trees; they burned their furniture; they even dug up the roots of trees to use as firewood. Despite these efforts, people died in the cold. This year, tens of thousands may die unless we come to their aid.

We must not continue to sit by our televisions and idly watch these people die. Mr. Speaker, this is not a television show, this is not a soap opera. These are people and they will freeze to death if we do not intervene.

Mr. Speaker, I ask unanimous consent that the text of the resolution appear in the RECORD at the conclusion of my remarks.

PRESIDENT'S SPENDING REDUCTION PLAN DOES NOT DELIVER

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. PACKARD. Mr. Speaker, Clinton claims his spending reduction plan will reduce the Federal deficit by $10 billion over the next 5 years. However, the Congressional Budget Office scored Clinton's package at $305 million in cuts over 5 years. This is quite a difference to what President Clinton has claimed.

Stripped of all its political rhetoric, the President's package of so called spending cuts, H.R. 3400 is far less significant than promised. It fails to dent the deficit or slow the Federal budget's growth which will increase by $81 billion over the next 12 months under the Clinton administration.

Once again President Clinton is failing to fulfill a pledge he made. When persuading reluctant Representatives earlier this summer to support his budget, he promised them an opportunity to vote for further spending reductions.

The 13 appropriations subcommittees did their work on budget cuts and submitted thoughtful fiscal year 1994 spending bills. They did not sidesaddle the process like the President and the leadership did. The question before us is can we cut deeper? I think the answer to this is yes.

The House leadership is stalling this body, keeping it from working its will on additional spending cuts. The President has failed us in his job and now the leadership is preventing us from doing what our constituents sent us here to do, reduce the Federal deficit.

The President failed to deliver his promise of significant spending cuts, and the House leadership has limited our ability to carry out of wishes of further spending reductions. However, I can assure you that if the leadership allows Republicans to go forth with their package of spending cuts—we will deliver.

TRIBUTE TO ROTARIANS OF DISTRICT 7190

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. SOLOMON. Mr. Speaker, on November 14, 1993, the Rotarians of district 7190 will gather for their annual meeting in Albany, NY.

Paul Harris is the founder of Rotary International, which, through the Rotary Foundation, has led the way in the promotion of world peace and understanding through its various international, charitable, and educational programs.

The foundation has provided over 1,000 scholarships for graduate, undergraduate, and vocational and journalism scholars, as well as teachers of the handicapped. The foundation can also point to over 400 study group exchanges and humanitarian projects.

One of the most prominent programs of the foundation is Polio Plus, which has raised over $300 million dollars all over the world, to immunize children against polio. During 1988, I had the privilege of awarding a congressional plaque to Walter Maddocks, who was international chairman of Polio Plus.

Mr. Speaker, I am proud to call myself a friend of Rotary International. I ask you and other members to join me as we pay our tribute to district 7190.

1INTRODUCTION OF A BILL TO AUTHORIZE AND DIRECT THE SECRETARY OF AGRICULTURE TO EXCHANGE CERTAIN NATIONAL FOREST SYSTEM LANDS IN THE TARGHEE NATIONAL FOREST

HON. MICHAEL D. CRAPO

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. CRAPO. Mr. Speaker, I rise today to introduce a bill to authorize and direct the Secretary of Agriculture to exchange certain national forest system lands in the Targhee National Forest. The bill will exchange lands in the island park ranger district of the Targhee National Forest in Idaho for private land in the Ashton Ranger District of the Targhee National Forest in Wyoming.

The value of the lands exchanged would be equal, or if they were not equal, the values would be equalized by payment of money to the grantor or to the Secretary of Agriculture as the circumstances would require so long as payment does not exceed 25 percentum of the total values of the lands of interests that would be transferred out of Federal ownership.

The exchange involves approximately 45 acres of national forest system lands and 95 acres of private land. The actual acreage will be determined by fair market value appraisals, but the intent of this bill is to acquire all 95 acres of private land with the minimum national forest system acreage necessary and made available by the bill.

I appreciate the efforts by Congressman CRAIG THOMAS and his staff as well as the efforts made by my staff especially John Hatch in my Pocatello District Office, who has worked diligently to make this a reality. I urge the committee to take quick action on this bill in order to make this land exchange a reality.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION OF EXCHANGE.

(a) CONVEYANCE.—Notwithstanding the requirements in the Act entitled "An Act to Consolidate National Forest Lands", approved March 20, 1922 (16 U.S.C. 485), and section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)) that Federal and non-Federal lands exchanged for each other must be located within the same State, the Secretary of Agriculture shall convey the Federal lands described in section 2(a) in exchange for the non-Federal lands described in section 2(b) in accordance with the provisions of this Act.

(b) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Except as otherwise provided in this Act, the land exchange required in this Act shall be made under the existing authorities of the Secretary.

(c) ACCEPTABILITY OF TITLE AND MANNER OF CONVEYANCE.—The Secretary shall not carry out the exchange described in subsection (a) unless the title to the non-Federal lands to be conveyed to the United States, and the form and procedures of conveyance, are acceptable to the Secretary.

SEC. 2. DESCRIPTION OF LANDS TO BE EXCHANGED.

(a) FEDERAL LANDS.—The Federal lands referred to in this Act are located in the Targhee National Forest in Idaho and generally depicted on the map entitled "Targhee Exchange, Idaho-Wyoming—Proposed, Federal Land", dated June 16, 1993.

(b) NON-FEDERAL LANDS.—The non-Federal lands referred to in this Act are located in the Targhee National Forest in Wyoming and generally depicted on the map entitled "Non-Federal Land, Targhee Exchange, Idaho-Wyoming—Proposed", dated June 16, 1993.

(c) MAPS.—The maps referred to in subsections (a) and (b) shall be on file and available for inspection in the office of the Targhee National Forest in Idaho and in the national office of the Forest Service.

SEC. 3. EQUALIZATION OF VALUES.

The values of the Federal and non-Federal lands to be exchanged under this Act shall be established by appraisals of fair market value that shall be subject to approval by the Secretary. The values either shall be equal or shall be equalized using the following methods:

(1) ADJUSTMENT OF LANDS.—

(A) PORTION OF FEDERAL LANDS.—If the Federal lands are greater in value than the non-Federal lands, the Secretary shall reduce the acreage of the Federal lands until the values of the Federal lands closely approximate the values of the non-Federal lands.

(B) ADDITIONAL FEDERALLY-OWNED LANDS.—If the non-Federal lands are greater in value than the Federal lands, the Secretary may convey additional federally owned lands within the Targhee National Forest up to an amount necessary to equalize the values of the non-Federal lands and the lands to be transferred out of Federal ownership.

(2) PAYMENT OF MONEY.—The values may be equalized by the payment of money as provided in section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

SEC. 4. DEFINITIONS.

For purposes of this Act:

(1) The term "Federal lands" means the Federal lands described in section 2(a).

(2) The term "non-Federal lands" means the non-Federal lands described in section 2(b).

(3) The term "Secretary" means the Secretary of Agriculture.

REGARDING THE REFORMS, POLICIES, AND PROGRAMS OF PREMIER LIEN CHAN

HON. BOB FRANKS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. FRANKS of New Jersey. Mr. Speaker, my fellow colleagues, I rise today to submit for your reference any excellent article that was recently brought to my attention. This article, written by Dr. Winston L. Yang, Chairman of the Department of Asian Studies at Seton Hall University in South Orange, New Jersey, discusses the reforms, policies, and programs of Premier Lien Chan of Taiwan.

Mr. Speaker, it is my hope that my colleagues will refer to this article when issues related to the future of Taiwan and the Republic of China are debated on the House floor.

PREMIER LIEN CHAN: HIS REFORMS, POLICIES, AND PROGRAMS IN TAIWAN

(By Winston L.Y. Yang, Seton Hall University and Cecilia S. Chang, St. John's University)

In late December, 1992, the Republic of China (ROC) on Taiwan held its first election of all national legislators since the move of its government to Taipei in 1949. The election of 161 legislators was a giant step toward greater democracy and an essential move designed to rejuvenate the national legislature in Taiwan.

In the newly elected legislative body, the ruling Nationalist Party, Kuomintang (KMT), retains its majority status even though the opposition party, Democratic Progressive Party (DPP), has made significant gains.

APPOINTMENT OF LIEN CHAN

Soon after the election, President Lee Teng-hui nominated Dr. Lien Chan, Governor of Taiwan Province, as the new premier of the ROC to succeed Hau Pei-tsun. Lien's appointment was confirmed by the legislators on February 23, 1993. In a 109-33 vote, the newly elected legislators gave their strong approval for Lien to become the 14th ROC premier. At 56, he has thus become the first Taiwanese native to serve in the post.

A close ally of President Lee, Lien has enjoyed Lee's strong support, trust, and confidence. His appointment was also an important part of Lee's effort to rejuvenate the government and transfer power from an older generation to the new and to give more power to the Taiwanese natives.

LIEN'S CAREER AND EXPERIENCE

Born in Sian on the mainland in 1936 to a prominent Taiwanese family, he came to Taiwan with his family at the age of 10. Educated at National Taiwan University, he received his Ph.D. in political science from the University of Chicago in 1965. After a brief

teaching career in the United States, he returned to Taiwan to teach political science at his alma mater.

Lien has complied an impressive record in both the KMT and the government. First named the ROC's ambassador to El Salvador in 1975, he returned home a year later to become deputy secretary-general of the ruling party.

Lein joined the Cabinet in 1978, serving in succession as chairman of the National Youth Commission, Minister of Transportation and Communications, Vice Premier, and Minister of Foreign Affairs. During the last two years he was Taiwan's provincial governor.

It was during his tenure as Foreign Minister that Taipei launched its "Pragmatic Diplomacy" to strengthen its international standing.

In August, 1993, he was confirmed by the 14th KMT Congress as one of its four Vice Chairmen.

Lien is one of the few political figures in Taiwan who have accumulated extensive experience in both internal and foreign affairs.

In terms of background, training, and experience, Lien is highly qualified for the premier's post.

APPROVAL AND SUPPORT

Lien's appointment has won the strong approval of not only the ROC legislators but also most of Taiwan's top leaders. The KMT's Standing Committee gave his appointment unanimous approval. The people of Taiwan have also given broad support to the appointment, as reflected in the public opinion polls. The press, including such leading newspapers as China Times and Independent News, has also come out to endorse the appointment.

The stock exchange soared more than 20 percent earlier in February in response in Lien's nomination.

Responses to the appointment from abroad have been very favorable. Both The Los Angeles Times and The New York Times, in their reports, speak favorably of Lien's appointment. The New York Times, in a report dated February 11, 1993, hails the appointment as "marking a major shift of power in the ruling Nationalist Party (Kuomintang) in the wake of democratic reforms."

One of the American views, as reflected by the influential New York Times, is that Lien's appointment was part of the democratic reforms of President Lew, the first native President, that have gradually shifted power into the hands of native Taiwanese majority since the lifting of martial law in 1987.

REFORMS AND PROGRAMS

Mr. Lien has been carrying out the policies of democratic reforms and the use of Taiwan's economic power to break out of the international isolation created by Beijing.

He has also affirmed his commitment to the "One China" policy and the ruling party's official goal of eventual reunification with the mainland. Following a pragmatic policy toward the mainland and expanding unofficial exchanges between the two sides, he insists on the need for the strengthening of Taipei's national defense and international standing.

Mr. Lien has indicated his desire for hastening the pace of modernization and national economic development. One of his goals is to increase the per capita income to at least $20,000 by the beginning of the twenty-first century.

In implementing "Pragmatic Diplomacy," Lien has given strong support to Taipei's drive to return to the United Nations and to join other international organizations in order to strengthen Taipei's standing in the world.

His economic recovery program, realistic and well-designed, is intended to help Taiwan improve its economy and competitiveness.

Premier Lien has attached great importance to his administrative reform programs, designed to improve morale, quality, and efficiency and to reduce and ultimately eliminate corruption, insubordination, bureaucratic snobs and waste in personnel and resources. He intends to establish a clean, efficient, capable, and streamlined government to make it become Taiwan's greatest "service enterprise", which should serve the people and meet the needs of the people in a better way. Personnel cuts, office automation, combining, closing or merging parts of various agencies, and an anti-corruption campaign have been planned and will be launched soon.

Combating inefficiency and corruption in national government, the administrative reform programs call for a five percent reduction in the number of government employees and closer watch for corruption and for heavier penalties, as well as the streamlining of government agencies and less red tape for the convenience of the people. Public officials involved in 14 kinds of activities, from handling construction bids to performing judicial duties, will be closely monitored.

DIFFICULTIES AND CHALLENGES

Lien must work his way through a long list of economic predicaments. The government's budget deficit is growing while the strong demand for more spending on social welfare programs has made it virtually impossible to significantly reduce the deficit.

Moreover, Taiwan's industrial base is confronted with a continued exodus of enterprises looking for better investment environment in Southeast Asia, Mainland China, and elsewhere. In foreign trade, there are such serious problems as Taiwan's shrinking global trade surplus, the huge trade deficit with Japan, and the U.S. threat of trade retaliation.

The controversial land tax and the unequal distribution of wealth which is deteriorating the living standards of the poorest 20 percent of Taiwan's population are also among the many difficult issues for Lien.

Both inside and outside the KMT, Lien is facing opposition. The DPP, which controls close to one third of the seats in the legislature, opposes nearly all the ruling party's policies and programs. Members of the New Party (NP) and its allies, including an opposition faction within the KMT, are also an important opposition force.

Many of Lien's programs and policies may run into trouble in the legislature. It is very difficult to win the support of the NP, and it is virtually impossible to form a united front with the NP to fight against the pressure and challenges of the opposition party, DPP. The KMT's internal unit has become a serious problem.

Taipei has improved its international standing, but there remain many problems in foreign affairs, created largely by the Beijing government. Taiwan's campaign for a seat in the United Nations is still facing great obstacles. There are also serious problems and issues in the Taipei-Beijing relations.

For Lien, the greatest challenge will be to maintain Taiwan's political stability and economic growth and prosperity while hastening the pace of reform and democratization. He must make more extensive democratic reforms and achieve breakthroughs on the international front and in Taiwan-Mainland China Relations.

Apparently, President Lee, confident that Premier Lien will be able to achieve his goals, has entrusted Lien to many difficult and challenging tasks. Many in Taiwan, too, are confident that Lien, under the current circumstance, is the best candidate to serve in the post.

Premier Lien is indeed confronted with numerous difficult tasks. For him, great difficulties and challenges lie ahead. He will also have great opportunities for bringing ROC to the 21st century as a modern, democratic, and prosperous nation.

COMMERCIALIZING FEDERAL TECHNOLOGIES: THE KEY TO JOB CREATION AND ECONOMIC GROWTH

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. KANJORSKI. Mr. Speaker, today I am introducing the Federal Technology Commercialization and Credit Enhancement Act of 1993. I am particularly pleased that House Majority Leader RICHARD A. GEPHARDT and Congressman GEORGE E. BROWN, Jr., chairman of the Committee on Science, Space and Technology, are among those who have joined with me as original cosponsors of this legislation.

This legislation represents a bold new initiative to create large numbers of new high-paying jobs which offer real opportunity for future advancement. If enacted, the bill will play a critical role in promoting economic growth throughout our country, in revitalizing depressed urban and rural communities, and in assisting the United States to regain its international industrial and manufacturing preeminence.

COMMERCIALIZATION OF INNOVATIVE NEW TECHNOLOGIES

Initiatives are already underway to enhance the utilization of advanced manufacturing processes, to establish an integrated computer information highway, and to facilitate the creation of private-sector consortia to undertake research and development for several critical technologies. Nevertheless, one essential component to utilizing advanced technologies to successful reinvigoration of the U.S. economy has thus far been largely overlooked: the development of a dynamic program to commercialize technologies already held by the Federal Government.

Establishing such a dynamic program is precisely what is accomplished under the Federal Technology Commercialization and Credit Enhancement Act of 1993. This legislation will bridge the gap between the innovative technologies, inventions, and processes which have been developed at the Nation's Government laboratories and at academic institutions, and their effective commercialization by private U.S. businesses.

Through research in Federal laboratories and at colleges and universities, we have accumulated tens of thousands of patents, licenses, and technologies. These represent

trillions of dollars of assets which should be used to create businesses to fuel economic growth and revitalization. Yet today, the primary beneficiaries of America's investments in research are our trade competitors, not U.S. businesses.

The Federal Technology Commercialization and Credit Enhancement Act of 1993 transforms this wealth of federally-held innovative new technologies into new business and employment opportunities.

ELEMENTS CRITICAL FOR SUCCESS

The legislation addresses elements critical for the successful transfer and commercialization of federally held technologies.

Comprehensive Inventory and Data Base.—The bill directs the Secretary of Commerce to, "establish and maintain an integrated, comprehensive data base describing all patents, licenses, technologies, and processes held by the Federal Government. * * *" It requires that this information be standardized, and that the data base be user friendly. The data base must respond to the needs of small- and medium-sized businesses to be able to access the inventory with minimal cost and effort, and without the need to retain consultants and lawyers, to explore opportunities for commercializing innovative new technologies.

In addition, potential applications of these technologies should be identified and all future research grants should require the submission of a standardized commercialization plan for new patents, technologies, or innovations which arise in the course of the research.

Technology Transfer and Commercialization Corporation Created to Conduct Aggressive Marketing and Outreach.—The legislation calls for the creation of a public/private corporation, "for the purpose of promoting and facilitating the transfer and commercialization of patents, licenses, processes, and technologies. * * *" In so doing, the bill creates a profit incentive to reward people for successfully placing these technologies.

The corporation is directed to undertake an aggressive marketing and outreach effort to U.S. entrepreneurs and existing U.S. businesses to move these technologies into commercial production. In this effort, the corporation is directed to utilize new information technologies, including the utilization of cable television, and the modern electronic media.

In accordance with regulations to be promulgated by the Secretary of Commerce, the corporation is authorized to, "act as the sole agent, and represent the interests of, the Federal Government in facilitating the transfer of patents, licenses, processes, and technologies. * * *" This allows for the development of a one-stop shopping system which combines searches on the centralized technology inventory system, unified Federal contracting authority, federally-assisted business financing options, and any necessary technical assistant. Consolidating these functions at a single contact point also makes it possible to keep paperwork and costs to the businessman to an absolute minimum.

Commercialization Financing.—The legislation establishes a Technology Transfer Investment Fund, to be administered by the corporation, to provide financial assistance to U.S. entrepreneurs and U.S. business people interested in commercializing these technologies.

In addition to loans and loan guarantees, the bill authorizes the corporation to invest in nonvoting equity instruments of the new or expanding businesses it will be financing to bring these technologies to the marketplace. Having the option of taking an equity position may be critical to the success of many of these new ventures. In addition, taking an equity position offers the potential for the Technology Transfer Investment Fund to become self-financing in the future. Sixty percent of the income from dividends or the sale of these instruments would be returned to the fund for reinvestment.

IMPLICATIONS FOR NEW JOB CREATION

Commercializing innovative technologies, as proposed in this legislation, offers enormous new opportunities for business ownership, economic advancement, as well as significant new employment opportunities for all Americans. By using the funds provided under the bill to underwrite new business financing to commercialize innovative technologies, the Federal Government should be able to leverage between $9 and $12 billion per year.

This translates into directly creating approximately 10,000 new $1 million small businesses each year, employing 20 to 25 people each. That means we can create 200,000 to 250,000 new, high-paying jobs with real future growth opportunities every year, or about 1,000,000 new jobs over the next 4 years.

For every congressional district across the country, this translates into an average of 2,300 new jobs, at good wages, with real futures. In addition to these 1,000,000 new jobs directly created, at least another 2,000,000 additional jobs will be created indirectly.

Mr. Speaker, there is simply no question that bold new initiatives are vitally necessary to ensure that new jobs are created, that our economy be revitalized, and that the United States regain its international industrial and manufacturing preeminence.

There is a great deal of attention being focused on the need for retraining workers who lose their jobs because of international competition, because of reductions in defense spending, and because of the changing dynamics of our society. Yet the question remains, where are the jobs for which we are retraining people? A critical part of this question is answered by the Federal Technology Commercialization and Credit Enhancement Act. I urge my colleagues to join by cosponsoring this legislation and working for its enactment.

KEY DOCUMENTS PROVE INNOCENCE OF JOSEPH OCCHIPINTI

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. TRAFICANT. Mr. Speaker, as part of my continuing efforts to bring to light all the facts in the case of former Immigration and Naturalization Service agent Joseph Occhipinti, I submit into the RECORD additional key evidence in this case.

MISUSE OF PROSECUTORIAL DISCRETION

1. The majority of the complainants admitted at trial that they had perjured themselves in the Grand Jury with respect to their continued involvement in criminal activity and prior criminal arrests. However, not one was ever prosecuted for their perjury or their admitted criminal activity. Nor, did the U.S. Attorney refer the noted violations to appropriate law enforcement for follow up investigation.

2. Officer Occhipinti was charged and convicted for conspiracy to violate civil rights. During "Project Bodega" more than forty (40) law enforcement officers, many who were senior police officials, participated in the consentual searches. The prosecution failed to prosecute these alleged co-conspirators or notify their agencies of these alleged violations, in order that they initiate disciplinary actions.

3. Officer Stafford Williams the only unindicted co-conspirator, who testified for the prosecution, at trial was given immunity from prosecution pursuant to a plea bargain cooperation agreement. A review of the agreement disclosed that he was not protected from administrative prosecution by this employer. Yet, reliable information from high ranking INS officials disclose that the U.S. Attorneys Office intentionally withhold from INS his Grand Jury testimony. That action precluded INS from initiating disciplinary action against the officer. We have also learned that Officer Williams has just been approved for transfer to the U.S. Customs Service as a special agent. In order for this transfer to be approved, he had to undergo a complete background and character check. It is believed that the U.S. Attorneys Office made favorable recommendations on his behalf in exchange for his testimony. That action was in violation of his cooperation agreement.

The defense was precluded through ineffective assistance of counsel to produce a consentually monitored conversation with officer Williams, where he acknowledges that the "Project Bodega" searches were lawfully conducted. His only disappointment, was the fact that he did not get an outstanding performance rating and a commissioner's award for his work in "Project Bodega".

4. One of the saddest moments I have ever witnessed in my thirteen years as an attorney was the day the prosecution in a successful effort to prejudice the defense case called upon young John F. Kennedy Jr. Mr. Kennedy was subpoenaed to testify regarding one time he supposedly saw officer Occhipinti read the Miranda warning too fast to a drug dealer. It made the front page of New York newspapers and the talk of all the courtroom personnel, whom you could hear swooning and commenting on how cute Mr. Kennedy was. It was a shame how this irrelevant testimony was used in order to sensationalize the trial and play on the sympathies of jurors and the public at large.

5. The prosecution rushed this case to trial after having obtained a questionable twenty five (25) count indictment in the record time of three (3) months. Many of the counts were dismissed by the prosecution after their case and witnesses began falling apart. This is extremely unusual, particularly as in this case, since the defense attorney admitted having a mental break down. The prosecution arduously objected to any postponement in order to retain new legal counsel. They alleged it was a ploy by the defense to stall the case.

6. During jury deliberation, the prosecutors intentionally withheld from the defense equal access to the courts transcripts in order to respond to the jurors inquiries. The defense was unable to adequately respond to the jury's inquiries.

7. The defense conducted a pretrial investigation, whereby, various types of contraband were purchased from the majority of the complainants. That investigation generated approximately 55 consentually monitored conversations, whereby, the complainants incriminated themselves in ongoing criminal activity. This evidence was intended to be used to impeach the credibility of the witnesses, as well as their perjury in the Grand Jury. However, the court ordered that these incriminating tapes be turned over to the prosecution. The prosecution willfully and with malice utilized the judges order to detain the tapes for an inordinate period of time precluding the defense from cross examining and impeaching the credibility of the witnesses. Attached is an affidavit from one of three undercover officers attesting to the complainants involvement in criminal activity. Exhibit "D"

INEFFECTIVE ASSISTANCE OF COUNSEL

1. The defense attorney, Mr. Mordkofsky, showed signs of mental incompetence and paranoia which was evidenced by unusual crazed behavior. One of which was to subject his client to strip searches in front of his wife. He did this in order to assure that his bizarre behavior was not being recorded. The mental incompetence by defense attorney was so extreme that it jeopardized his clients case and ultimately required me to lodge a complaint with the New York Bar Association as required by the ethical code. Exhibit "E"

2. Evidence of the ineffective assistance of counsel was overwhelmingly documented in the rule 33 motion, which was ultimately denied by the trial judge. Exhibit "F"

3. Mr. Mordkofsky's ailment was so severe that when I requested he be removed as defense attorney because of his psychiatric problems, he threatened suicide. This conversation, which had been consentually monitored by an investigator for the defense, was presented to the court. The trial judge refused to receive the tape as evidence, and had the investigator's testimony stricken from the record.

4. Evidence has been developed that defense counsel was indeed under psychiatric care and had spoken about suicide to a Supreme Court Justice in White Plains, New York, a mere week before trial. The defense asked the court to re-open the rule 33 motion based on this newly developed evidence. However, the application was denied.

MISCELLANEOUS PREJUDICIAL ACTS

1. The prosecution called approximately 37 witnesses at trial. The defense announced that they planned to call a similar amount of witnesses and the prosecution protested. The trial judge directed that the defense cut their witnesses in half.

2. This trial took place in the hot days of early summer. The air-conditioning unit which was working during the prosecution's presentation mysteriously disappeared when the defense started its presentation. This fact not only exacerbated defense attorney's mental condition but had an adverse effect upon the jury who frequently went to sleep.

DETECTION OF SETUP CONSPIRACY

1. Pursuant to numerous inquiries I made to friends and former clients in the Dominican community, I received information which clearly showed evidence on an organized conspiracy to frame Officer Occhipinti. The conspiracy involved the intentional fabrication of civil rights violations and related embezzlement allegations. The intent of the conspiracy was to effectively stop Officer Occhipinti from hurting their illegal activities.

2. Although many persons stated to meet that they have specific information regarding the setup of Officer Occhipinti, only four individuals have had the courage to come forward. This cooperation could only be obtained contingent on our promise that their testimony and identity will be revealed to the court, the Department of Justice and Congressional-Senate judiciary committees. It is of utmost importance that precautionary measures be taken by the government to assure the confidentiality and physical safety of these witnesses, since their testimony will have an adverse effect on Dominican Organized Crime and Drug Cartels. Their testimony will place the Sources and their families in physical danger. Police statistics clearly confirm these fears by the fact that Washington Heights has the highest homicide rate in the nation. Therefore, I will refer to these witnesses as a "Source" in order to protect their identity at this time.

SOURCE A

Source A is a Dominican merchant who defaulted on his loan to a Dominican loanshark. The source is now in fear of assassination for nonpayment. The source provided the following information pertaining to the Federation's alleged involvement in criminal activity and their setup conspiracy of Officer Occhipinti.

a. The Federation is allegedly composed of Dominican organized crime figures involved in drug trafficking, money laundering, illegal money wire transfers, loansharking, assassinations for hire, official corruption and alien smuggling, among others.

b. The source surrendered the internal records of the Federation, which documented that many of its members were previously investigated, arrested, prosecuted and in many instances convicted through the enforcement efforts of Officer Occhipinti.

WITHDRAWING FROM SOMALIA

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. PETRI. Mr. Speaker, I would like to submit for the RECORD a column I have written on how I believe we should go about withdrawing from Somalia. This column was published in the Washington Times of November 15, 1993.

As a former Peace Corps volunteer and employee of the Agency for International Development in Somalia, I have given this question some thought, and offer my suggestions in a constructive spirit.

Even if we hope for a successful withdrawal on the President's timetable, I believe we should get started on my recommendations without delay. Actually, I think it is in America's interest to get out of Somalia much more quickly than is currently planned, in which case there is no time to waste if we are to implement the policies which I propose.

The column follows:

[From the Washington Times, Nov. 15, 1993]

HERE'S A WAY OUT OF SOMALIA

(By Thomas E. Petri)

How can the United States prevent the return of famine and disorder to Somalia following the withdrawal of U.S. troops? The conventional answer: by encouraging Somali clans to form a unified national government responsible for sustaining order after foreign troops leave.

This answer ignores these inconvenient facts, however: Without government resources, the clans will have no incentive to cooperate. But an agreement of Somali clans to form a unified government will not, by itself, make any resources available.

Instead of focusing on the clans exclusively, the United States and the United Nations should organize the existing providers of aid and military forces into a unified structure that will provide resources for an ongoing Somali government.

Historically, resources needed to operate a government on Somali soil have come from outside Somalia and have been quite modest, particularly when measured against the billions spent on this year's international rescue operation.

Following independence in 1960, the Somali government received tens of millions of dollars of foreign aid from a long list of donors and enjoyed additional modest tax revenue in the $7 million to $8 million range, nearly all from tariffs both on foreign aid and on goods imported mainly for the international community living in the capital.

Nearly all of the aid and the other goods were brought in through the port of Mogadishu or the capital's airport. This is why control or influence over these two facilities is important to Mohamed Farrah Aidid.

So that a Somali government, once formed, will have the resources it needs, it makes sense for the United Nations immediately to begin collecting the tariff revenues, organizing the flow of aid into Somalia and requiring the members of the world community employing Somalis (or others) on Somali territory to collect payroll taxes. The tariff revenues, tax funds and control over aid flow can be turned over to the Somali government when it organizes and be used by it to defray the costs of maintaining order.

If the United Nations sets up the structure and begins collecting the revenue now, the growing treasury available to a Somali government will in itself be a strong inducement for the clans to reach agreement.

Expecting the Somalis, on the other hand, to organize a new government's revenue administration is unrealistic. Understandably, many individual relief organizations would threaten to withdraw, arguing that they should not pay taxes for the privilege of making donations. Somalis benefiting from their efforts would join in their resistance.

The result would be the continued unregulated flow of separate streams of resources into Somalia. Only the strong authority of the United Nations can elicit the cooperation from foreigners needed to get the system up and running.

Under present circumstances, the dozens of independent aid organizations, press and other foreign entities operating in Somalia with their own separate resources exert a centrifugal pressure on Somali society and prevent the centralized focus needed to unite warring tribal factions. Organizing this foreign community will increase pressure on the Somalis to organize in response, since they will then have only one foreign entity—the United Nations—to look to for the final word on the flow of aid, people and funds into their country.

Organizing and taxing the world community in this way has advantages beyond helping the Somalis to organize themselves and providing the resources needed to maintain order after the departure of U.S. forces. It would give the United Nations a more effective lever than military force for influencing Mr. Aidid.

Once the flow of funds, people and goods is centrally regulated, the United Nations could more easily close the port and airport of Mogadishu, perhaps using Kismayu instead. If he remains uncooperative, this approach would punish Mr. Aidid by reducing the income of his supporters.

A thousand-year history of shifting clan alliances will likely continue into the indefinite future unless those clans perceive a tangible benefit in producing a unified government. By organizing the international community as it relates to Somalia, the United Nations can facilitate Somalia's establishment of a centralized government, as well as provide the stream of funds necessary for its continued existence.

A SALUTE TO THE SISTERS OF MERCY, REGIONAL COMMUNITY OF PITTSBURGH

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. COYNE. Mr. Speaker, I am proud today to pay tribute to the Sisters of Mercy, Regional Community of Pittsburgh, who will soon celebrate 150 years of service in the city of Pittsburgh neighboring cities, boroughs and townships, and other communities across the United States as well as Puerto Rico and Chimbote, Peru.

It was on December 20, 1843, that a group of seven women from St. Leo's Convent in Carlow, Ireland arrived in Pittsburgh to found the first group of Sisters of Mercy in the United States. This group was led by Mother Frances Warde, a close friend and confidante of Catherine McAuley, who founded the Order of Mercy in Dublin, Ireland in 1831. Having come to Pittsburgh at the request of Michael O'Connor, first Roman Catholic bishop of Pittsburgh, the Sisters of Mercy celebrated their arrival in the United States by commemorating December 21 as Foundation Day.

These Sisters of Mercy dedicated their lives to instructing the uneducated of all ages, caring for the sick and for orphaned children, and for rendering compassionate service to others, especially to needy women. Mother Frances Warde and the other Sisters of Mercy—Sisters Josephine Cullen, Elizabeth Strange, Aloysia Strange, Philomena Reid, Veronica McDarby, and Margaret O'Brien—set an example which has continued to inspire subsequent generations of women who have devoted their lives to service as a member of the Sisters of Mercy.

This tradition of service to those in need led the Pittsburgh Regional Community of the Sisters of Mercy to establish the first Mercy Hospital in Pittsburgh in 1847. This hospital continues today to serve as one of the Pittsburgh finest health care facilities. The Sisters of Mercy also staffed Saint Paul's Orphanage from 1846 through the 1970's. They also founded Saint Xavier Academy in Latrobe in 1845, established Mount Mercy/Our Lady of Mercy Academy in the Pittsburgh area, assisted both Confederate and Union troops during the Civil War, taught in countless primary and secondary Catholic schools, founded Carlow College in Pittsburgh—(formerly Mount Mercy)—in 1929, and also offered weekend religious instruction to children of outlying parishes in the tri-state area.

The good work of the Sisters of Mercy extends far beyond the city of Pittsburgh and even the tri-state area. In 1959, the Sisters of Mercy assumed the administration and staffing of Holy Cross Hospital of Florida. The Sisters of Mercy also sent a group of missionaries to Chimbote, Peru, in 1967. In addition, six other communities of Sisters of Mercy were founded directly from the Regional Community of Pittsburgh. These communities are Chicago, IL, in 1846; Loretto, PA, in 1848; Providence, RI, in 1851; Baltimore, MD, in 1855; Titusville, PA, in 1870; and Wilkes-Barre, PA, in 1875.

Mr. Speaker, the people of Pittsburgh deeply appreciate the outstanding public service provided by the Sisters of Mercy since they first came to our community in 1843. The important role of the Sisters of Mercy in the history of our community was recognized in 1966 when Mother Frances Warde was proclaimed one of Pittsburgh's 10 outstanding women by the Historical Society of Western Pennsylvania. It is fitting that the U.S. House of Representatives should also pay tribute to the Sisters of Mercy, Regional Community of Pittsburgh.

INDUSTRY-FUNDED CHECK-OFF PROGRAM FOR PROPANE GAS

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. TAUZIN. Mr. Speaker, today I am introducing legislation to establish an industry funded checkoff program for propane gas, an environmentally sound and economical energy source upon which some 60 million Americans rely every year.

One of the Nation's most versatile sources of energy, propane supplies 3 to 4 percent of total U.S. energy needs. Propane is most commonly used to provide energy to residential areas not served by the natural gas distribution system. Propane is also used by farmers to dry crops, power tractors, or warm greenhouses; by millions of recreational vehicle owners and camping enthusiasts; in industry as a source of heat and power; and in construction.

Long recognized as an environmentally sound and clean burning energy source, propane is also the most widely used alternative motor fuel in the Nation. Increasing numbers of fleet vehicle owners are seeking the advantages of propane: clean burning, high octane, reduced downtime, and lower maintenance costs.

There are more than 150 checkoff programs at the Federal and State levels, primarily in the agriculture industry. Federal programs include beef, eggs, cotton, milk, and soybeans.

In the energy industry there are similar programs such as the Gas Research Institute, natural gas, the Electric Power Research Institute, the Texas Railroad Commission propane checkoff and similar State programs in Louisiana, Missouri, and Alabama. Oil producers in Oklahoma have recently created the Oklahoma Energy Resource Board.

In a checkoff program, a small fraction of the wholesale price of a product is set aside and forwarded to a specially created checkoff board. The propane board, which would be known as the Propane Education and Research Council, would use those pooled funds for a variety of activities that would benefit the propane consumer, the propane industry, and the public.

Specific activities that would be undertaken by the Propane Education and Research Council would include research and development of more efficient, cleaner burning appliance; safety, education, research, and training for the industry and the public; and marketing activities including cooperative activities with State associations and builder outreach. These activities will provide substantial benefits to propane consumers and the public.

Other energy checkoff programs have shown a substantial return for every dollar spent. Gas Research Institute [GRI] for example has shown a return of $4 for every dollar spent. While GRI's work benefits urban and suburban natural gas consumers, the propane checkoff will benefit rural and agriculture consumers of propane as well as urban and suburban propane consumers.

For example, the agriculture industry, which accounts for 7 to 8 percent of all propane consumed in the United States, will see substantial benefits from the propane checkoff. Much of the large industrial and agricultural equipment now in use is not as efficient as residential and commercial equipment. The propane checkoff will allow for research and development into better, more efficient equipment for the industry. Even a minimal 2 percent increase in equipment efficiency would show strong returns to the agriculture industry. Obviously, better and more efficient utilization of propane will benefit the industry in other ways as well which increase the value of the return.

Propane, unlike all other major forms of energy—and many minor energy sources—receives no Federal support for research, development, education, or other activities. In a period of deficit spending and tight funding restrictions, rather than turn to the Federal Government for support, the propane industry has developed this self-help proposal to help ensure that propane is most effectively utilized. This program is designed to be funded by the industry, yet will provide substantial benefits to propane consumers, the public, and the propane industry.

It is important to note that the legislation I am proposing does not actually establish the propane checkoff, but instead calls upon the Secretary of Energy to hold a referendum among propane producers and retail marketers to authorize establishment of the checkoff. Two-thirds of both propane marketers and propane producers must approve establishment of the checkoff before it can go into effect and the program can be terminated by a one-half vote of both classes. In other words, we are not forcing this program on the industry. Rather, at the industry's request, we are providing a coordinated opportunity for the industry to voluntarily pool its resources.

This is an important self-help measure for the propane industry based on a proven precedent from other industries. I encourage

my colleagues to join me in cosponsoring this legislation.

CALVERT CLIFFS: A GOOD EXAMPLE OF NUCLEAR POWER

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. HOYER. Mr. Speaker, Today I would like to call attention to Baltimore Gas & Electric's nuclear powerplant located at Calvert Cliffs. This plant is a good example of the important role nuclear power can play in our country.

Calvert Cliffs generated more than 10 million kilowatts of electricity last year, enough to supply more than half of the residential, manufacturing, and commercial electrical needs of central Maryland. While this is a significant achievement in and of itself, it is equally important to note that this electricity was generated without any atmospheric pollutants of any kind. In fact, Calvert Cliffs is the major reason that Maryland is among the lowest producers of SO_2, CO_2, and nitrogen oxides from electric powerplants in the mid-Atlantic region.

It is worth noting that Calvert Cliffs and our country's other nuclear powerplants avoid emitting 4 million tons of SO_2 and 2 million tons of nitrogen oxides which would result from fossil fueled generation of an equivalent amount of electricity. At a time when our Federal, State, and county governments are working to implement the Clean Air Act, I believe more people will recognize the important role nuclear power plays in keeping our air clean.

However, none of this could be accomplished without the dedicated and professional employees at Clavert Cliffs. The plant's 1,576 workers strive hard to ensure the safe and efficient operation of this plant.

In the last Congress, we passed the Energy Policy Act of 1992. In addition to providing a blueprint for our Nation's energy security and environmental well-being into the future, this act will maintain the nuclear power option.

I would encourage my colleagues to visit Calvert Cliffs which sits on 2,200 acres adjacent to the Chesapeake Bay. Most of that space is undeveloped and provides significant shelter for birds, deer, and other wildlife. Another 120 acres of the property is still used for corn and soybean crops. I think you will be impressed by its unobtrusiveness and its contribution to my State's power needs. I urge my colleagues to join me in commending the Baltimore Gas & Electric Co. and its employees at Calvert Cliffs nuclear powerplant.

IN SUPPORT OF INTRODUCTION OF THE HUMAN TISSUES FOR TRANSPLANTATION ACT OF 1993

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. WYDEN. Mr. Speaker, I rise to introduce the Human Tissue for Transplantation Act of 1993, legislation which will ensure the safety and effectiveness of tissues harvested, treated and preserved for use in a growing variety of medical procedures.

I urge my colleagues to support this measure, a reasonable and efficient regulatory regime which is the result of bipartisan cooperation involving my friend, LARRY COMBEST, the ranking minority member of the Subcommittee on Regulation, Business Opportunities and Technology. We also have worked closely with Senator PAUL SIMON of the other body, who today will introduce identical legislation.

In just a few years, the use of transplanted human tissue has gone from the realm of science fiction into standard medical practice. This year alone, hundreds of thousands of human tissue transplant procedures will be performed using skin, bones, heart valves, corneas, arteries, and ligaments. The tissue bank industry is booming, and the absence of regulation leaves too much room for poor surgical outcomes, serious injury and even death. We know that donated tissues have transmitted diseases like HIV, Hepatitis C and a rare disease called Creutzfeldt-Jakob. These diseases are fatal. There are no cures.

This bill amends the Food, Drug and Cosmetic Act in order to fill a gaping hole in public health protection. It aims to improve public health by protecting people with severe burn injuries, bone cancer patients needing new bone to keep their limbs, and children needing good and safe heart valves. In a nutshell, this bill will shield patients from blood-borne diseases which might be transmitted through these tissues, and from tissues which might have been rendered ineffective for their intended use by overtreatment with chemicals, radiation or preservative freezing.

Mr. Speaker, we see these problems because the human tissue business, today, is not required to adhere to any industry-wide standards for treating, maintaining and record-keeping. My legislation would set standards for all of these activities, require certification of participating organizations, and mandate regular inspections to assure compliance.

The need for this legislation becomes more critical as technology creates new ways to collect, process and store human tissue. As it stands today, anything goes, from ultra high-tech methods to the use of old basement freezers.

Our government has learned tragic safety lessons about the need to stop the spread of infectious disease through preventive measures. A case in point is the tough struggle to regulate blood and blood products. We know that when we do not screen and track donations like blood or tissue, it is not a matter of "if" but of "when" disaster will strike. Donor screening and testing may not eliminate all of the risk involved with human tissue transplants. But it can dramatically increase the odds for a healthy outcome.

In hearings before the Subcommittee on Regulation, Business Opportunities and Technology, which I chair, surgeons providing human tissue medical treatment, tissue banks, and FDA officials agreed that the development of an even-handed, sensible regulatory system is needed to protect patients receiving transplanted tissue. We need to screen donors, test the tissue, register tissue banks and develop minimum requirements for how tissue is handled.

Our health care system simply can't afford unsafe, or poor quality tissues. The financial and human costs simply are too high. No one can afford the added cost and risk of extra surgeries to replace tissue that fails to work because it was processed into a useless patch. We cannot afford to treat the infectious diseases carried in bad tissue. We cannot afford any, and I underline any, tissue without mandatory standards and practices that are based on good science.

The professionals that collect, process and store tissues must be trained in methods that protect the public's trust and health. Today, no such training is required. There are no operating standards for the estimated 500 to 600 tissues banks doing business in this country.

Meanwhile, foreign tissue banks are aggressively marketing their tissue. Some openly acknowledge that they cannot vouch for how clean the tissue is, let alone whether it is free from disease or even viable after being fried with gamma radiation.

In my view, this is a health care disaster waiting to happen.

The Food and Drug Administration's current style of oversight * * * having made regulatory mincemeat out on heart valves, corneas and dura mater * * * does little more than generate lawsuits and disrupt patient care. We need a new and comprehensive solution that makes sense for the public interest and the tissue bank industry.

This bill is not a budget-buster. It includes a reasonable self-supporting fee provision to make sure our needs for public health protection do not drop between the cracks in FDA's regulatory floor. With a modest registration fee for tissue banks and a system for reasonable operating fees, we can make this a pay-as-you-go program once it is up and running. I want to tell the tissue banks and the FDA that Congress knows the free ride for Government regulation is over. At the same time, we cannot ask a fragile though promising new industry to pay for more than it can carry.

We need fiscal reality in regulation. And that is what this bill delivers.

The Commissioner of the Food and Drug Administration wrote Congress in July, stating that he recognized, and I quote, "* * * the general need for greater oversight for all human tissue."

My subcommittee has worked closely with the American Red Cross, the American Association of Tissue Banks, and the American Association of Blood Banks, in crafting this bill, and these major industry organizations agree on its general elements.

"This well-crafted legislation will provide the necessary, appropriate and enforceable regulatory oversight of the tissue industry," wrote Dr. S. Randolph May, national head of tissue services for the American Red Cross.

I would also like to thank Chairman JOHN D. DINGELL and his staff and Chairman HENRY A. WAXMAN and his staff for all their counsel and assistance in preparing this legislation.

TRIBUTE TO NATE (TINY) ARCHIBALD

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. TOWNS. Mr. Speaker, today it is my pleasure to comment on the accomplishments of a man nicknamed "Tiny" whose feats on the basketball court enabled him to be installed as a giant in the National Basketball Association Hall of Fame. Nate "Tiny" Archibald was born in the Patterson Houses in the South Bronx.

Tiny attended DeWitt Clinton High School in the Bronx where he was an all-city guard. He attended Arizona Western University and subsequently transferred to the University of Texas at El Paso. In 1970 he was drafted in the first round by the Cincinnati Royals. His illustrious career spanned 13 years in the NBA, where he played in six All-Star games, and was named to three All-NBA First Teams and two All-NBA Second Teams. In 1981 he was named MVP for the NBA. He also has the distinction of having led the league in scoring and assists for one season. In 1990 he was elected to the NBA Hall of Fame.

After concluding his professional career Tiny completed the requirements for a masters degree in adult education and human resources from Fordham University, where he is currently pursuing his doctorate.

Committed to serving his community, especially disadvantaged youth, Tiny Archibald has immersed himself in the community and teaches in the New York City Public School System. He also serves as a career program liaison for Community School District No 5. Tiny has also sponsored numerous basketball tournaments to benefit young people.

It is my pleasure and honor to recognize the vast accomplishments and contributions of a man that loves and takes pride in his community. Tiny has committed himself to giving back as much as he can to the youth of his community. Indeed, Nate "Tiny" Archibald is a giant within the New York educational and athletic community.

FAMILES USA

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. BURTON of Indiana. Mr. Speaker, I am placing in the RECORD a report prepared by the Capital Research Center concerning the organization Families USA, headed by Ron Pollack. Ron Pollack was one of President Clinton's early advisers on health care during last year's campaign.

Families USA, which he founded, is one of the leading advocacy groups promoting the President's health care plan. The group is sponsoring television ads supporting the Clinton plan and attacking the insurance industry, sponsoring health reform action parties across the country to generate local media attention, and engaging in other local grassroots organization activities.

I believe that this profile, prepared by the Capital Research Center's Robert Berkebile will be very useful to my colleagues as the health care debate moves forward, and I commend it to all of my colleagues' attention.

I would also like to commend the Capital Research Center for doing a fine job of exposing the activities of different nonprofit foundations and the patterns of philanthropic giving of major corporations.

COMMENTARY: ADVOCATING THE NEXT ENTITLEMENT: GOVERNMENT HEALTH CARE

"It's great for American families! The President's Reform will absolutely guarantee that you'll never lose your health insurance, no matter what * * * [it] will ban the fine print that insurance companies use to dump you or deny you benefits you've paid for. It will crack down on insurance and drug company overcharges." That's the opinion of Ronald Pollack, executive director of Families USA (United Seniors for Action) Foundation, a health consumer and seniors advocacy group, that is heavily promoting the Clinton health plan in print and on television. With health care now a top priority on the national policy agenda, Families USA is becoming a major player in the world of special interest advocacy groups.

Families USA/Families USA Foundation was created in 1981 with $40,000,000 from Phillipe Villers, an engineer who founded Computervision, a high-technology company. Inspired by the anti-war and civil rights movements of the 1960s, Villers has been a long-time supporter of such groups as the American Civil Liberties Union, Amnesty International, the liberal wing of the Democratic Party, and the Unitarian-Universalist Association. He has been cited as a model for the new "progressive" philanthropists who use their money to promote social change. Villers's wife, Katherine, directs the foundation's Boston office.

Families USA Foundation is headquartered in Washington and is a tax-exempt 501(c)(3) nonprofit. It makes grants and offers technical assistance and educational materials to grassroots organizations promoting its agenda of issues affecting the elderly. Originally called the Villers Foundation, the organization's change of name in 1989 coincided with a shift in its activities from grant-making to direct lobbying. Grants declined from $2,400,000 in 1987 to $600,000 in 1991. In contrast, budgeted funds for the 501(c)(4) lobbying arm, Families USA, grew from $600,000 in 1987 to about $1.2 million in 1992, according to The Chronicle of Philanthropy (2/11/92). Drew Altman, president of the health-oriented Henry J. Kaiser Family Foundation, told The Chronicle of Philanthropyy096 (2/11/92), "I frankly don't think of them as a foundation * * * [executive director] Ron [Pollack] may have a (c)(3), but it is the (c)(4) that moves the world."

The relationship of the (c)(4) to the (c)(3) can be illustrated by the following. In a press release (dated January 28, 1992), following the President's State of the Union address, Ronald Pollack, executive director of Families USA, declared, "What George Bush is presenting us with is a new form of medical Darwinism. It's not survival of the fittest but survival of the richest." Eleven days earlier, on January 17, the *Older Americans Report*, a Health & Human Services Department newsletter, reported that HHS' Administration on Aging had awarded Families USA Foundation, whose executive director is also Ronald Pollack, a grant to fund a "National Eldercare Institute on Income Security/Health Policy." The three year grant, which runs from September 91 to September 94, will give Families USA Foundation $1,000,000.

FAMILIES USA AND BILL CLINTON

Families USA took a flexible and pragmatic position at the start of the current health care debate. Unlike other activist groups and labor unions that pushed for a Canadian-style single-payer health program, Families USA was prepared to endorse a range of proposals from "pay or play"—which would require employers to provide employee health insurance or pay the federal government to do so— to comprehensive government health insurance, funded by federal tax dollars and administered by state governments. The April 17 *National Journal* reported that the group budgeted $1.5 million to build support for health reform, and would send eight field organizers into a third of the states, targeting the Southeast and Midwest.

The group has long maintained contact with Bill Clinton. Before announcing his candidacy, the Arkansas Governor spent over two hours getting input from Families USA on his health-care reform platform. John J. McGrath, chief health policy adviser to Governor Clinton, told *The Chronicle of Philanthropy*, "If you asked me to go through a short list of advocacy groups that were getting the message out on health care, their name would be on it * * * Families USA moves policy * * * into the arena in which action flows.

In June of 1992, then presidential candidate Bill Clinton was running third in the polls, behind both George Bush and Ross Perot. Three months later, Clinton was ahead in the polls but losing ground on health-care. His top advisers noticed a sound of confusion on the issue, with Clinton skipping back and forth between reform plans not clarifying which one he favored.

Clinton realized in the wake of Perot's surge that he couldn't stick with an expensive, government-run system. He needed a new approach. In August Clinton's health advisers began moving toward the notion of providing universal coverage while holding down costs. Known as "managed competition," the system would create regional alliances that would buy coverage in large, packages from rival groups of doctors, hospitals and other health-care providers.

On September 22, 1992, Clinton was hurriedly briefed on the plan in a crowded Holiday Inn suite in East Lansing, Michigan. Ronald Pollack informed Clinton that managed care was a secret weapon he could spring on Bush. Pollack told Clinton, "you could strike a populist chord by helping business lower costs, by providing Americans with cradle-to-grave coverage and by standing up to such special interests as doctors, drug companies and insurance firms. Best of all, the plan created no new taxes." Clinton loved it.

Clinton was so excited that he asked if he could release cost estimates based on the managed-care idea to the public. Pollack told Clinton his group (Families USA) would release a "bipartisan" report detailing managed competition's effect on the budget. "Why not, Pollack said, let his group put numbers out?", Time Magazine reports in its September 20, 1993 issue. Clinton agreed. This way the numbers would be available but could not be directly linked to Clinton's plan. Two days later, after a 48-hour marathon of speech writing, Clinton spelled out his new, improved plan to an audience at the Merck pharmaceutical company in New Jersey. Clinton's blueprint for reform was now in place.

MEDIA SAVVY

Ronald Pollack and his media director, Arnold Bennett, know how to generate publicity. An award-winning documentary film producer and former media consultant to Democratic candidates, Bennett has been called a "sort of mad scientist of media and health reform." In late January he was one of five "presenters" who briefed the President, Hillary Rodham Clinton and thirty Administration officials in the White House on how to manage the health care debate to shape public opinion. Officials were urged to avoid terms like "global budgets" and "managed competition" and instead tell Americans how health care prices "have risen four times faster than their salaries."

To stay in media rolodexes, Families USA provides many services to journalists. It supplies names and phone numbers of people "victimized" by the current health-care system. It arranges satellite interviews for television shows and offers radio stations pre-recorded messages presenting the group's reactions to current health care reform proposals. For the current campaign, Families USA has placed television ads supporting the Clinton plan and attacking the insurance industry. Individuals calling toll-free numbers in all fifty states are invited to host health care "action parties" to build community support.

Families USA also knows how to build coalitions of diverse special interest groups to lobby for a common entitlement. It organized 184 consumer, religious, labor, and health industry groups to sign a March 21 letter to President Clinton. The letter demanded prompt provision of a universal and comprehensive health program for all Americans paid for by a government program or tax subsidies. The coalition included ACORN, Children's Defense Fund, Consumer Federation of America, National Urban League, and the United Steelworkers of America, but also the American Medical Association, American Hospital Association, Blue Cross & Blue Shield Association, and the Pharmaceutical Manufacturers Association. Of course, all the groups stand to gain if government pays for the health insurance of people whose bills are otherwise unpaid.

PROMOTING THE CLINTON PACKAGE

Families USA's twelve-page "Special Report" on the proposed "Health Security Act of 1993" provides case studies of individuals and families who lose their insurance or who have inadequate insurance, and of insurance problems faced by early retirees, the self-employed, those with high drug costs, and those needing long term care. Dated September 22, the day of the President's address, the report assures all that the Clinton plan will provide comprehensive health benefits, will keep annual out-of-pocket costs down, and that there will be no caps, exclusions or lifetime limits on coverage. In addition, small business employers are assured that they can buy insurance at the same price as big business, cannot be rejected, and that insurance companies can raise premiums no faster than inflation. The proposed reforms "will provide the security and peace of mind that American families profoundly lack today."

The account does not address problems that are now being discussed by economic analysts. There is no estimate of the increased costs needed to cover the 37 million uninsured, the underinsured, and those who will change their insurance-related behavior because of changes to the system (e.g. potential early retirees). Nor does Families USA estimate the impact of the mandatory 7.9 per cent payroll tax on business hiring and its effect on government tax revenues. The dismal choice of eventual rationing of medical services, more tax increases or further increase of the deficit if funding is insufficient goes unmentioned, whatever it may lack in financial details, political analysts note that the Clinton plan shrewdly builds public support by promising an array of benefits and compensations. The Families USA report repeats these assurances.

WHAT'S CAUSING THE PROBLEM?

Insurance companies are Families USA's enemy of choice. In its most recent direct mail pieces, Families USA makes the following assertions:

More than $60 billion goes to insurance company red tape and administrative waste.

All together our health care system wastes a total of $200 billion a year.

Insurance company executives are paid million dollar salaries.

Families USA's attack on insurance companies is no new venture, and the organization has diligently worked to expose weaknesses in the industry.

The cost of long-term health care and the failure of private insurance to pay for it has long been a prime target. During the 1988 election season, Families USA and the American Association of Retired People organized a highly successful campaign to generate public discussion of the issue by all the presidential candidates. Families USA also provided partial support to the Brookings Institution for "Caring for the Disabled Elderly: Who Will Pay?" (1988), a 318-page book by Alice Rivlin, now deputy director of the Office of Management and Budget, and Joshua Wiener, a Brookings Institution fellow. Its own 115-page publication, "Because We're All in This Together: The Case for a National Long Term Care Insurance Policy" appeared after the election in September 1989. Written by former Social Security Commissioner Robert Ball and conservative journalist Tom Bethell, it also discussed the weakness of private insurance.

Families USA supports a government-run long term care program covering all Americans. Commenting on a February 1993 Families USA study, Pollack told a *Washington Post* reporter, "For most, private nursing home insurance is like buying an expensive cocktail umbrella to keep you dry in a tropical storm."

The insurance industry is also attacked in a recent July 1993 Families USA report on so-called "bare-bones" health insurance plans. These plans have low premiums and are meant to be affordable for low-income persons and small businesses. Pollack said the policies were "touted by the insurance industry" but proved to be a "commercial flop" because benefits were limited by high deductibles and low annual and maximum caps.

To combat the claimed failures of the insurance industry, Families USA Foundation is using the media to gain support for Clinton's health care package. How are they doing this? They're throwing a party.

On Thursday, October 21, 1993, Families USA will play host to an anticipated 1,000 "Health Reform Action Parties" across America. The purpose of the event is to arouse and organize the people to persuade their neighbors, politicians and the media to support the Clinton health plan. That is, they are urged to support the Clinton plan if it meets the following criteria: "(a) [it] will guarantee that we'll never be denied or lose our health coverage; (b) that we will be entitled to a comprehensive benefit package, no matter what our income level, and that no insurance company will be able to take away benefits we need because of some "fine print"; and (c) that it will clamp down on the profiteering in the health care industry, thus making high-quality health care affordable for families and businesses."

For those people holding Health Action Parties, Families USA is providing pre-printed invitations, hand-outs, talking points, and even 15-minute videos—all free of charge. Families USA urges hosts to attempt to generate media coverage of their parties by contacting local newspapers and television and radio stations.

CONFRONTING GOVERNMENT FAILURE

Families USA has not been shy about attacking government handling of social programs. According to a March 1993 Families USA report, 1.8 million out of 4.2 million elderly poor persons eligible for state aid to pay their Medicare premiums and deductibles were not receiving this benefit. In the District of Columbia the figure reached 55 percent. "Millions of elderly poor are left out in the cold because the states and the federal government lack adequate outreach programs to bring all eligible seniors in to sign up for the benefits," Pollack told the Washington Post. (Elderly persons whose income is below $6,810 are eligible for the benefit.) Health and Human Services Secretary Donna Shalala sympathized but said "the Social Security Administration does not have the authority or the resources to assume responsibility" for a state task.

Families USA also attacked the government's failure to provide income security to the elderly. A 1989 study, "SSI AWARE: Why The Elderly Poor Don't Get the Help They Were Promised," reported survey results of 6,000 elderly poor persons and argued that eligibility requirements and application procedures hindered participation in Supplemental Security Income (SSI). These obstacles, the report concluded, kept over half of those eligible for assistance from receiving SSI benefits.

Families USA does not seem to have considered that government administration of these programs may be a reason for their failures. How much more difficult will be administration of a nationwide government-run health program attempting to mandate the actions of insurers, employers, doctors and hospitals operating under price controls.

EMPOWERING SENIORS

Families USA Foundation now presents itself as a health consumer advocate, but until recently it focused on grassroots organization of the elderly. "Nurturing a movement of empowerment among elders," Families USA has distributed grants to organize the elderly and teach them methods of advocacy. In 1988, Families USA awarded grants totalling over $2,100,000 to 105 recipients, including:

Americans for Health	100,000
Center for Community Change	20,000
Center on Budget and Policy Priorities	37,000
Citizens Fund	65,000
Civil Rights Project	25,000
Florida Consumers Federation Foundation	22,600
Gray Panthers of Austin, Texas	12,000
National Academy of Social Insurance	52,000
National Caucus and Center on Black Aged	40,000
National Council of La Raza	12,000
National Hispanic Council on Aging	10,000
National Senior Citizens Education and Research Center	22,500

Older Women's League	46,500
Pension Rights Center	35,000
Urban Institute	4,087

In 1990 the Foundation made 146 grants totalling $1,457,462. 67 grants were under $10,000. Funding research, outreach and education programs was important, but so was organization building: grants were made to expand the membership base or to develop a long-range fundraising plan for groups, many of them state and local. In 1990, for instance, organization building grants went to Massachusetts Senior Action Council ($30,000), Arkansas Seniors Organized for Progress, Education and Research ($25,000), Council of Senior West Virginians ($10,500), Gray Panthers of Austin, Texas ($8,600), and Senior Advocates of Cedar Rapids, Iowa ($3,822).

Families USA attacks "ageist" stereotypes of elders as wealthy "surplus people" who contribute little to society or as a special interest group that demands social benefits from an over-taxed working population. It has made grants to encourage corporations to set up volunteer programs for retirees and to promote "senior mentoring." But more typical are 1990 grants to document a widening income gap between rich and poor ($35,000 to the Center on Budget and Policy Priorities), conduct media and education campaigns on the crisis of long term care ($37,500 to the Communications Consortium), and for public education on the need for family and medical leave legislation ($15,000 to the Women's Legal Defense Fund).

In the late 1980s, a time when Families U.S.A. was making more grants, support also went to such groups as the California Rural Legal Assistance Foundation ($15,000 in 1986), Public Citizen ($20,000 in 1986 for public education on the impact of the AT&T divestiture) and even the Christic Institute ($5,000 in 1986 and 1988 for "public education on the displacement of thousands of Indians from their homelands in northeastern Arizona.")

PLAYING WITH FIRE

In its 1986–1988 annual report, Families USA indicates that the elderly comprise a large portion of the 35 million Americans who are uninsured and the uncounted millions who are underinsured in the United States. But as Heartland Institute president Joseph Bast notes in the January-April 1992, Intellectual Ammunition, a magazine for state legislators; "Thirty-seven million Americans are without health insurance at any given moment. But fewer than a quarter as many remain without insurance for longer than 12 months. Many of these people are healthy, young, and relatively well-off; for them, being uninsured for short periods of time does not pose a medical risk."

Moreover, it should be remembered that having no health insurance is not the same as having no health care. It is against the law for a nonprofit hospital to turn away a patient needing medical care, and fewer than 12 per cent of U.S. hospitals are for-profit. Certainly, inadequate insurance coverage is a problem that must be addressed. But Families USA and the Clinton Administration will have much to answer for if, in their zeal to correct faults in the health insurance system in a manner that can be sold to the public and Washington special interests, they undermine the greatest health care system in the world.

TAX DEDUCTION BILL FOR BUSINESS EXCHANGE WITH RUSSIA

HON. MICHAEL A. "MAC" COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to discuss my bill that addresses a real need, both in our business community and in the new and growing business community of Russia.

My legislation would offer a tax deduction for expenses associated with traveling to Russia for the purpose of participating in a professional or technical exchange. In other words, it would give American business people the opportunity to interact with Russian business people for the purposes of sharing institutional knowledge.

In Russia, free enterprise, entrepreneurial ventures and private investment are still a very new and foreign concept. The business community in the United States has a tremendous opportunity to teach business people in Russia's new democracy much about developing, operating and succeeding in private enterprise.

Here in our business communities we have knowledge that we take for granted. Russians have much to learn about free enterprise and have already indicated that they are eager to receive the "know how" that the United States private sector has to offer. Now more than ever we should encourage our private sector to contribute to the growth and expansion of new democracies across the world. Through this legislation we can add one of many needed incentives to the tax code that will help our domestic businesses invest in the future.

FEDERAL TECHNOLOGY COMMERCIALIZATION AND CREDIT ENHANCEMENT ACT OF 1993

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. BROWN of California. Mr. Speaker, I am pleased to join Mr. KANJORSKI as an original cosponsor of legislation he has developed to improve the effectiveness of Federal technology transfer efforts—the Federal Technology Commercialization and Credit Enhancement Act of 1993.

The legislation introduced today by Mr. KANJORSKI is a commendable effort to enhance the value of taxpayer-financed research and development. The total Federal research and development budget for fiscal year 1994 will exceed $75 billion. This commitment represents a substantial public investment. This legislation seeks to increase the social and economic return on that investment. For that reason, I believe the measure deserves careful consideration by the Congress.

My sponsorship of this legislation, however, is not without some reservations over certain aspects of the bill.

The bill would establish a federally-sponsored corporation, governed by a private board, to act as sole agent of the Federal Government for transferring federally originated or owned technology to the private sector. The corporation would have authority to provide loans, loan guarantees, and equity capital directly to private concerns to finance commercialization of Federal technology. The corporation would have mixed-ownership since it would be financed with private capital and public funds controlled by the corporation.

The measure would significantly alter the legal and policy framework governing Federal technology transfer efforts that have evolved over the last 20 years. A decentralized approach to technology transfer is promoted under current law. This bill advocates a centralized effort carried out by a single federally-sponsored corporation. A centralized approach to technology transfer has been tried several times in the past with limited success. We need to evaluate carefully the effectiveness of our present technology transfer programs before we change them in a significant way.

Another concern I have with the bill deals with constitutional matters. The Technology Transfer and Commercialization Financing Corp. that would be established under the legislation would not be an agency or establishment of the United States. It would be a private entity and, therefore, not subject to constitutional provisions, laws, and regulations applicable to Federal agencies. However, the corporation would be partially financed with public funds under its control and would have authority to transfer public assets to the private sector. The vesting of control of Federal funds and the exercise of governmental powers in a private entity raises fundamental constitutional questions that must be addressed.

The bill is not perfect, but it is a credible starting point that deserves serious consideration. I look forward to working with the gentleman from Pennsylvania, with my colleagues in the Congress, and with the administration on this legislation and the important issues it addresses.

SMALL BUSINESS NEEDS AN INTERNAL TRADE ADVOCATE

HON. JAN MEYERS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mrs. MEYERS of Kansas. Mr. Speaker, today I am introducing a resolution to express the sense of Congress that the U.S. Trade Representative [USTR] should establish a new position of Assistant U.S. Trade Representative for Small Business.

Currenty, the USTR has 16 separate assistant trade representatives, which include separate assistants for agriculture, for industry, for the General Agreement on Tariffs and Trade, and for issues affecting Investment, Science and Technology. Yet there is no assistant trade representative assigned to understand and act on the special problems often faced by our Nation's 20 million small businesses, to protect their interests during trade negotiations, or to promote policies that could encourage more exporting by small firms.

Small enterprises remain our Nation's top product and service innovators and our leading job creators. They have exploited new approaches, technologies and domestic markets with astonishing success despite the ever-increasing burden of Government regulations and mandates. Small businessmen and women are risk takers who can smell a market niche from miles away and fill it adroitly.

Given these all-American attributes, one has to wonder why small businesses often shy away from exporting? I suspect part of the reason lies in a belief that their Government cares little about untangling the domestic red-tape and breaking international barriers that make exporting so daunting to a small firm with limited resources. I also suspect they are right: The Federal Government does not adequately advocate their cause at home or abroad.

Mr. Speaker, entrepreneurs do not ask their Government for handouts or extravagant programs. They are fiercely independent and confident that they can get the job done on their own if given the opportunity. Small businesses merely ask that their government clear a path to opportunity so they can travel the road to growth and job creation.

One limited, inexpensive step on this road is to create an Assistant Trade Representative for Small Business whose sole responsibility is to vigorously advance and defend the interests of small enterprises in our global economy. At the advent of the North American Free Trade Agreement, I can think of no better pursuit.

Mr. Speaker, as I have often intoned: If America will help small business, small business will help America. On behalf of small enterprises and the millions of workers they employ and could employ, I urge President Clinton and Ambassador Kantor to move unilaterally to fulfill the request contained in this resolution. I also urge our colleagues to cosponsor this proposal to help persuade the administration that we here in Congress believe in the promise and the future of small business both here in America and beyond.

END THE ARAB BOYCOTT NOW

HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. SWETT. Mr. Speaker, the Arab League economic boycott of Israel has been a tool of economic warfare directed at the nation since its birth in 1948. Today I stand in strong conviction to call an end to this belligerency and urge all of my colleagues to join me and the other sponsors of House Concurrent Resolution 175 in passing this important piece of legislation.

The Arab League boycott seeks to isolate the Israeli economy through primary, secondary, and tertiary boycotts. The damage to Israel's economy caused by this boycott is incalculable, but the cost is substantial. While the primary level of the boycott prohibits import of Israeli-origin goods and services into boycotting countries, the boycott has been applied at secondary and tertiary levels, which acts as a barrier to U.S. exports. Even Kuwait, where we risked and lost American lives during the Persian Gulf war, has not lifted its application of the boycott.

Mr. Speaker, this far-reaching effect has hurt Americans. In trying to destroy Israel's economic and military viability, the Arab League also directs its boycott at any company that has business contacts with Israel. American companies, forced to choose between doing business solely with Israel or with the Arab countries, have suffered indeterminate loss of opportunity and potential employability of Americans. U.S. companies consistently have felt the economic hardship of this secondary and tertiary level of boycott, with over 400 American firms believed to be on an Arab blacklist.

The signing of the Declaration of Principles between the Israeli Government and the Palestine Liberation Organization and the ongoing peace talks between these two principals and other Arab countries signals a new era of cooperation in the Middle East. The climate surrounding these events makes this an opportune time to call on the Arab countries to lift the economic boycott against Israel as a tangible symbol of their intention to keep the commitment they have made to establish a just and lasting peace in this region.

True peace in the Middle East can only be established and endure if there is economic cooperation in the region. This new cooperation must be extended to include trade relationships. Currently, the West Bank and Gaza survive solely on Israel's economy, the only nation that trades with this area and, ironically, the country which the Arab League seeks to isolate. The continuation of this economic warfare will be a severe impediment to the prosperity of the region.

So far, the Arab response to a call for ending the boycott has been less than favorable, ranging from Syria's call for an expansion of the Arab blacklist to statements by the PLO that the boycott cannot be lifted without a unanimous vote by the Arab League. This Arab entrenchment makes one question the sincerity of their peace commitment.

Mr. Speaker, Israel has taken substantial risks in pursuit of peace, and it has assumed those risks, in no small part, because of its confidence in the unwavering support of the United States. To fortify this commitment, I urge all of my colleagues to join me tonight in supporting this legislation and demand an immediate end to this economic warfare. I also urge that in every appropriate international trade forum the U.S. Government continue to raise the boycott as an unfair trade practice.

Now is the time to take advantage of the recent advances toward peace and bring a long overdue end to this unfair practice. Ending the Arab economic boycott against Israel must be a top priority of Congress and the administration to secure peace in this region. I urge all of my colleagues to vote in support of House Concurrent Resolution 175.

TRIBUTE TO MARVIN ROBERTS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. TOWNS. Mr. Speaker, far too often we hear about athletes who are successful for only a brief moment in time. Today I want to cite the progress of Marvin Roberts whose athletic prowess was a gateway to other successes in life.

Marvin attended Wingate High School in Brooklyn. He attended Utah State University where he excelled as a basketball player. He played basketball professionally in Europe. He also played with the Los Angeles Lakers, Kentucky Colonels and the Denver Nuggets in the National Basketball Association. Marvin was not content to bask in the glow of his basketball fame. He received his bachelor of science degree from California State University.

A multi-talented individual, Marvin became an actor and member of the Screen Actors Guild, and the American Federation of Television & Radio Artists. He has appeared on television commercials and in motion pictures.

Marvin currently works as a regional human resources manager for the McDonald's Corporation. He has been with the company since 1985. This gentleman typifies the capacity of inner city athletes to capitalize on athletic and educational opportunities afforded to them. He used his opportunities as a springboard for his later success in life. Marvin Roberts exemplifies the capacity and the resolve of inner city youths to overcome adversity and become mature and self sufficient adults.

FDA ACTIONS TAKEN ON CERTAIN DRUGS AND OTHER PRODUCTS

HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mrs. COLLINS of Illinois. Mr. Speaker, today I rise to introduce a bill to extend by 2 years the nonpatent market exclusivity applicable to an important anti-arthritic drug, oxaprozin, marketed as Daypro, a nonsteroidal anti-inflammatory drug or NSAID, produced by G.D. Searle Pharmaceutical Co. in Illinois. If not for an inexcusable delay on the part of the Food and Drug Administration this measure would not be necessary.

The Drug Price Competition and Patent Term Restoration Act of 1984, commonly referred to as the Waxman-Hatch Act, among other things granted to manufacturers of brand-name drugs 5 years of market exclusivity following the FDA's approval of a New Drug Application [NDA] for the drug. This intellectual property protection is independent of any other intellectual property protection such as patent protection.

The Investigational New Drug Application [IND] for Daypro was filed in 1972. Daypro was then caught in the infamous FDA product approval lag. The New Drug Application for Daypro was then filed in August of 1982. The FDA's approval was granted on October 29,

1992, 20 years after submitting its Investigational New Drug application and over 10 years after filing the New Drug Application. During the 10 years that it took the FDA to approve the NDA, however, the patent on the drug expired. Thus the actual patent life for Daypro was zero.

A variety of studies have been conducted on the issue of the regulatory barriers that the NSAID's faced in the 1980's. Those studies make clear that the problems that were encountered at the FDA were generic—they apply with equal force to all the NSAID products. The unprecedented delay in the approval of the NSAID's was due to an unjustified inaction by the FDA in the review of drugs in the NSAID class starting in the mid-1980's. The delay arose after serious problems were encountered with specific NSAID's that had already been approved. Paralyzed by caution, the FDA in effect imposed a moratorium on the approval of all NSAID's. It is worth emphasizing again, however, that the purpose of this moratorium was not to allow the FDA to collect further data on oxaprozin from Daypro's sponsor. After Searle submitted its NDA, no further data on safety or efficacy was ever requested. In 1992, the FDA approved Daypro for marketing based on the data submitted 10 years before.

My bill grants Daypro a certain amount of market exclusivity beyond that which the Waxman-Hatch Act provides. This additional exclusivity is sought because the delays in obtaining FDA approval that Daypro's sponsor experienced has been so excessive that the provisions of the Waxman-Hatch Act are entirely inadequate to remedy the economic injury sustained. Congress has always recognized that legislative action may be justified in extraordinary circumstances, as exist here, to grant additional intellectual property protection to rectify inequities resulting from delays in FDA processing of New Drug Applications. Today I simply seek this remedy for a product that was a victim of the same regulatory delays that were instrumental in causing Congress to recognize that the 1984 legislation was necessary. But for the FDA's unjustified delays, this product would have qualified for the market exclusivity in 1984.

The bill that I introduce today does not grant full recovery of the time that Searle lost while Daypro was under review; it does not grant half or even a quarter of that time. The additional market exclusivity that this bill grants represents only a fraction of the lost time. Under the formula described in the bill Searle can gain no more than 2 years of additional market exclusivity. This figure is a fair and equitable resolution of the matter.

Mr. Speaker, the need for this bill points to systemic problems at the FDA. I will be paying close attention to the actions of this agency as it regulates these drugs and other products including dietary supplements. Obviously the FDA must ensure the safety of the products which are marketed to consumers in this country, but in so doing it must avoid unnecessary delays that hurt manufacturers of drugs and dietary supplements which rely on the FDA to act speedily.

As you may know in another piece of legislation that I have introduced I have taken an active interest in making sure that the FDA approve safe dietary supplements for use and that the claims that these products make be accurate. This is the proper role of this agency. The unfortunate sequence of events which led to my introducing this bill today suggest that the FDA may be in need of significant reform so that manufacturers of drugs, dietary supplements or the variety of other products that it regulates are not penalized by inaction on the part of this agency. While I look forward to more systemic reform to ensure that the FDA is more balanced and speedy in its actions, I hope that we can at least address some past actions taken by this agency by passing this legislation.

THE TELECOMMUNICATIONS AND FINANCIAL SERVICES FAIR TRADE ACT OF 1993

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. MARKEY. Mr. Speaker, I rise to introduce the Telecommunications and Financial Services Fair Trade Act of 1993. The purpose of this bill is to break down barriers to U.S. companies selling financial services and telecommunications products and services worldwide.

This is truly a historic moment in international history. The successful passage of the North American Free-Trade Agreement, the first-ever summit meeting of the Asian Pacific Export Cooperation countries, and the ongoing GATT negotiations, should provide all of us with renewed hope that we can achieve a truly free and open global trading system.

This bill is one of the next pivotal steps we must take to reshape our trade strategy in the wake of the cold war's end and in light of the tremendous change occurring in the global economy. No longer can the United States stand idly by and hope that other countries will pursue truly free and open trade rules. We must send a strong message to these countries that free trade must be a two-way street, not a deadend for American products.

As chairman of the Subcommittee on Telecommunications and Finance, I have witnessed firsthand the blatant discrimination against U.S. and other foreign producers of these products by some of our most important trading partners. My fair trade legislation will send the European and Pacific rim countries a clear message that we will no longer tolerate discriminatory practices in these two industries, both of which are critical to our future economic growth.

For example, Fidelity is prohibited from selling mutual funds in Japan and other Asian countries while Japanese and Korean firms are allowed into our markets under the same regulations as United States firms. This year, for the first time ever, AT&T was able to sell a switching device, one of its most important products, to Japan.

Japan purchases just 5 percent of its telecommunications goods and services from foreign companies while the United States and the European Community [EC] countries buy about 25 percent from foreign firms. Last year the United States had a $75 billion overall merchandise trade deficit with Asia and a $50 billion deficit with Japan.

Many of the Western European countries also lag behind the United States in open markets. The American trade surplus with the European Community shrunk to $9 billion last year, a drop of nearly 50 percent from the 1991 level.

British Telecomm has applied for a license to offer international telecommunications services to United States customers on a resale basis, however, no United States long distance carrier is allowed to do the same in the United Kingdom market.

Given the increasingly globalized nature of these industries, open markets and free and fair trade are essential to their continued ability to lead the world in sophistication and innovation. These industries are the ones that will drive our economy into the next century and beyond.

Title I of this bill would establish a fair and transparent process whereby the Department of Treasury, in conjunction with the Securities and Exchange Commission [SEC] would have the authority to apply a reciprocal national treatment standard to encourage the fair treatment of United States firms.

Despite intensified negotiating efforts by the Treasury, access to Japan's market has remained strictly limited for most United States securities firms. For instance, while Japan has allowed United States mutual funds to be sold in their market, United States brokers are still prohibited from establishing and therefore selling those funds in the $400 billion Japanese market. Likewise, the Korean financial markets also remain closed to American firms.

This bill provides a series of reporting requirements to identify countries that have failed to accord national treatment to United States securities firms, for example, broker dealers and investment advisors. This bill also calls for the initiation of negotiations with any foreign countries identified in the report as having failed to accord national treatment in order to remove such barriers; and regulatory sanctions imposed by the SEC against foreign securities if no agreement is reached to eliminate foreign barriers to national treatment of such firms.

Likewise, the United States telecommunications market is most open and competitive in the world. Its future competitiveness is vital to our hopes for leading the technological revolution. And yet our country faces a trade deficit in telecommunications equipment of $496 million in 1992.

Despite concerted efforts by Government and industry to open the Japanese telecommunications market, United States equipment suppliers have been able to secure only 5 percent of the Japanese procurement market while Japanese companies such as, Fijutsu, Hitachi, and NEC continue to sell freely in our market. Moreover, despite a bilateral agreement designed to ensure that Nippon Telegraph and Telephone [NTT], Japan's major telecommunications provider, opens its procurement procedures, American companies still supply only about 7 percent of its equipment.

Title II of this legislation builds upon existing telecommunications trade laws to provide the

Federal Communications Commission [FCC] the authority to deny applications or certification for equipment or services filed by persons or companies of a foreign country that has violated a telecommunications trade agreement with the United States. The United States currently has telecommunications agreements with Japan, Korea, and Canada and will have a new agreement with Mexico if and when the North American Free-Trade Agreement is implemented. A new multilateral telecommunications agreement is expected if the current round of negotiations under the General Agreement on Tariffs and Trade is successfully concluded.

This bill will also grant the FCC the authority to deny a section 214 application if the Commission finds that the home market of the applicant does not provide comparable access to U.S. companies.

OWCP: A PROGRAM IN NEED OF "REINVENTION"

HON. MIKE KREIDLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. KREIDLER. Mr. Speaker, Before the end of this session we will consider a series of measures to reinvent government, many of which result from serious work undertaken by Members of the freshman class. These members and Vice President Gore are to be commended for their effort.

The ideas being advanced this year, for the most part, are creative and useful and will help us produce a more efficient and effective government.

It is also true, however, that we have had limited opportunities since the publication of the recommendations by Vice President GORE's "National Performance Review" to consider other ideas.

So I want to say to my constituents, and to fellow Members of the freshman class, that reinvention of Government must not stop here, with the end of this session. Indeed, some of the deepest structural problems with Government remain unaddressed, and will require our attention next year—and beyond.

I want to mention one such problem which illustrates, I believe, the job facing us in the future.

From virtually my first day in office, I have received an extraordinarily large number of complaints from my constituents regarding the Department of Labor's Office of Workers Compensation Programs.

I thought at first there was a problem specific to the Department's Seattle office. But as I have raised my concerns with other Members of the freshman class, I've come to the conclusion that the problems are structural, and national in scope.

Indeed, Members from States as diverse as California, Virginia, Texas, Wisconsin, Minnesota, and Oregon, have told me about similar complaints from their constituents, who believe OWCP is broken and needs to be fixed.

I hope, before the start of the next session, Labor Secretary Robert Reich will put forward a serious proposal to reform this program. One month ago, in an interview with a Seattle newspaper, Secretary Reich admitted that our current compensation programs are inherited from the 1930's and 1940's and in need of an overhaul.

I can guarantee the Secretary that a fresh, open-minded review of the internal problems of his OWCP will be well received by the Members of the freshman class who have shared with me their frustrations with the current system.

Any serious proposal from the Secretary, or from Congress if that becomes necessary, must reform at least six major areas of deficiency within the OWCP:

COMMUNICATIONS

OWCP consistently fails to respond to requests for information regarding medical treatments and payments, and fails to provide copies of documents to the legal representatives of injured workers.

PAYMENTS

OWCP consistently fails to make timely payments; its rejections of medical bills often seems arbitrary; and it commonly miscalculates the amount of compensation.

DECISIONS

OWCP decisionmaking consistently demonstrates arbitrary interpretation of medical conditions, violations of internal rules and regulations, and a bias for employers.

MEDICAL

OWCP medical conclusions indicate a pattern of unsubstantiated denial of treatment, use of biased physicians and diagnostic firms, unsupported denial of medication, and pressure on claimant physicians to change opinions.

APPEALS

The OWCP has a history of delaying appeals, of dismissing relevant medical evidence from appeals, and of allowing claim handlers to influence the outcome of appeals.

REHABILITATION

The OWCP also has a disturbing history of using private rehabilitation counselors with little or no oversight of their practices, expenses, and success rate.

I believe I speak for other Members who have shared their districts' OWCP experiences with me when I encourage Secretary Reich to investigate these problems. In doing so, he will need to overcome an entrenched bureaucracy that has not changed substantially since President Clinton took office.

Over 2 years ago, the House Subcommittee on Employment Standards scheduled hearings on the OWCP, but it never held them. Instead, Chairman Ford and Congressman Murphy decided to ask for a General Accounting Office investigation. I understand the GAO study was completed last spring but, for reasons which are unclear to me, has not yet reported its findings.

I hope Secretary Reich's statement on reform of compensation programs reflects a willingness to work with us to take a fresh look at OWCP. The same sort of problems that prompted the Subcommittee on Employment Standards to schedule hearings 2 years ago have, in many instances, worsened, and will continue to do so the more we delay. Clearly there is a need to reinvent OWCP, and we'll be working to do so next year, hopefully with the support of Secretary Reich.

HELP PREVENT UNPLANNED TEENAGE PREGNANCIES

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mrs. JOHNSON of Connecticut. Mr. Speaker, the problem of unintended adolescent pregnancy has reached dramatic proportions, and continues to grow. Despite a decline in the number of teens in the United States, our teenagers have one of the highest pregnancy rates in the western world—twice as high as in England, France, and Canada, and seven times as high as the Netherlands. By age 18 one in four female adolescents will become pregnant at least once, resulting in more than 1 million pregnancies per year.

Poverty. There is no question that the dramatic incidence of teen pregnancy is one of the major causes of poverty amongst women and children. Studies show that within 5 years of giving birth, fully 70 percent of those who become mothers as a teenager will be on welfare. Further research has documented a higher incidence of abuse and lower educational achievement level amongst children brought up in poverty. It is indeed a great tragedy that teen pregnancy so often results in limitations on opportunities for adolescent mothers and their children to succeed.

Today, Representatives JIM GREENWOOD, CYNTHIA MCKINNEY, NYDIA VELAZQUEZ and I introduced the Mickey Leland Adolescent Pregnancy Prevention and Parenthood Act, to reverse this disturbing trend. Our bill would revise and extend title XX of the Public Health Service Act, the Adolescent Family Life Demonstration Projects. The time for a demonstration program is past—the problems of teen pregnancy and childbearing need the attention of a full service program.

Our bill focuses on preventing pregnancies for at-risk youth before they happen. It encourages community-based integration and innovation so that grantees are able to tailor programs to fit their community's wants and needs. Additionally, for those teens who do become pregnant, services provided under the revised program include comprehensive prenatal and postpartum care, well-baby and well-child care, family planning, and family life and parenting education.

Further, this bill reaches out to teenage boys. Recent research indicates that young fathers who abandon parental responsibilities often do so reluctantly, with the primary cause being economic. Under our bill, both male and female teens would be eligible for counseling and referral services for employment, employment training, nutrition, substance abuse, and other services. Adolescents would also receive assistance in establishing eligibility for Federal, State, and local health and social services. As our child support enforcement laws become more effective, as recent reforms assure they will, such help for young men is imperative to assist them in understanding the obligations entailed in responsible fatherhood.

I urge my colleagues to join us in giving teens the tools to take charge of their lives by supporting our efforts to reverse the trend of unintended adolescent pregnancy.

THE ENVIRONMENTAL PROFESSIONALS TRAINING AND CERTIFICATION ACT OF 1993

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. RICHARDSON. Mr. Speaker, I rise today to introduce legislation to establish minimum Federal standards for programs that train and certify environmental professionals. I would like to thank my colleagues RICK BOUCHER of Virginia, SHERROD BROWN of Ohio, TOM MANTON of New York, MARJORIE MARGOLIES-MEZVINSKY of Pennsylvania and CURT WELDON of Pennsylvania for joining me in sponsoring this legislation.

Remarkably, today there are no Federal guidelines regarding the proper training and certification of environmental professionals. Virtually anyone who wants to enter the growing environmental market and conduct environmental assessments on hazardous waste sites across the country can simply fill out a form and send a fee to a sham certification organization. This situation was recently brought to my attention by one of the leading underwriters of environmental insurance, Environmental Compliance Services [ECS]. ECS received an unsolicited mailing advertising the market value of receiving a certificate that would enable an individual to perform environmental assessments. The mailing went on to state that such certification could be obtained by completing the enclosed self-graded test and sending in a small fee.

Mr. Speaker, I was amazed to hear of this incredible oversight in Federal law. Environmental assessments have an enormous impact on the insurance and business communities. I know that as an insurance underwriter, ECS was as shocked as I was to learn that an individual can so easily receive certification to perform environmental assessments crucial to the protection of public health and safety. As a result, ECS and I began to discuss the idea of establishing minimum criteria for the education and training of environmental professionals.

The Environmental Professionals Training and Certification Act of 1993 represents the result of those discussions. Specifically, the bill requires the Administrator of the EPA to establish an advisory board, known as the Environmental Certification Board within 6 months of enactment. The Board would consist of at least six members who are experts in related fields of interest. The Board would issue recommendations to the Administrator regarding the establishment of minimum standards for those organizations providing environmental training and certification for phase I environmental professionals.

Based on the Board's recommendations, the Administrator would issue regulations establishing minimum education, training, and certification standards that organizations issuing certification to environmental professionals must meet. These standards would include, but not limited to, the following: formal environmental training; continuing environmental certification; environmental certification and testing procedures; revocation and disciplinary procedures; establishment of a code of ethics; consumer education; certification renewal procedures; and annual reporting of program activities.

Mr. Speaker, this legislation does not attempt to exclude any organization from training or certifying environmental professionals—it merely attempts to ensure that such organizations meet certain minimum Federal standards which will ensure that the public and the business community can rely on the qualifications and standards of today's environmental professionals. I urge my colleagues to support the Environmental Professionals Training and Certification Act.

TRIBUTE TO ANTHONY L. WATSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. TOWNS. Mr. Speaker, as we consider the prospects of health care reform, there are a number of individuals who have worked in the health care arena and made valuable contributions. Mr. Anthony L. Watson is one person who has amassed considerable expertise and prestige in the area of health care. Mr. Watson is the president of the Health Insurance Plan [HIP], a position he assumed in 1990. Prior to his appointment he served as the executive vice president and chief operation officer of HIP. HIP is the largest HMO in the East with a membership of 1.1 million.

Mr. Watson has more than 20 years of executive experience with Federal, State and city health care agencies. Prior to joining HIP, Mr. Watson was the executive director of health systems agency of New York City, the largest health planning agency in the country. He has held numerous other posts of responsibility with the Department of Health, Education and Welfare, the Public Health Service, and the Center for Disease Control.

Mr. Watson has also served on the faculty of the City University of New York, and Herbert J. Lehman College where he has lectured on health care delivery systems. He holds a Bachelor of Arts Degree, and attended the Columbia University School of Public Health, Division of Health Administration. He is a highly published author on health planning. Additionally, Mr. Watson has received numerous awards including the American Health Planning Association's Schlesinger Award for Outstanding Contributions to Community Health Planning.

One of the hallmarks of Tony Watson is that he gives unselfishly of his time and resources. He is a pillar in the community, and has dedicated his life to the profession of health care delivery. I am pleased to recognize this gentleman for his vast contributions to society.

THE ELIZABETH A. GREESON DIALYSIS COVERAGE ACT OF 1993

HON. MICHAEL A. "MAC" COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. COLLINS of Georgia. Mr. Speaker, today I rise to discuss the "Elizabeth A. Greeson Dialysis Coverage Act of 1993."

This legislation will require private facilities offering Medicare-financed renal dialysis kidney treatment to provide these services on a 24-hour basis. These privately owned facilities could make alternative arrangements with area hospitals that would provide comparable treatment during nonbusiness hours of the weekday or weekend.

The primary purpose of this bill is to stress to privately owned facilities that their responsibility includes the well-being of the patient, and not merely monetary profit. They should be accountable for treatment when it is needed for the preservation of life—24 hours a day, not just when it is convenient.

For Beth Greeson who battled kidney failure for years, this legislation comes too late. But with its passage, we will improve how we provide renal dialysis treatment and enable other families to avoid tragic loss due to failures of the health care system.

HONORING JOSEPH CORACE

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. NADLER. Mr. Speaker, I rise today to join my friends and neighbors in the Brooklyn Division of Kiwanis International in honoring their past Lt. Gov. Joseph L. Corace. Mr. Corace will be honored tomorrow evening at Sirico's Restaurant in Brooklyn.

This tribute is well earned, and stands as a fitting testimony to his lifelong dedicated service to our city and our community.

Mr. Corace has long been active in community affairs, both through Kiwanis and through numerous charitable and community organizations. He has served as the president of the Coney Island Club and on the board of directors of the Brooklyn School for Special Children.

He also led the Brooklyn Division of Kiwanis International in numerous charitable activities, including the Children's Miracle Network, the March of Dimes, HeartShare, and the Brooklyn Memorial Day Parade.

Mr. Speaker, I am proud to share with my colleagues the story of one individual whose life-long faithful service to our community is truly worthy of recognition and honor. It is with great pride and much gratitude that I join the Brooklyn Division of Kiwanis International in honoring Joseph Corace.

TRIBUTE TO PAUL A. SIVLEY

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Ms. ESHOO. Mr. Speaker, I rise today to honor Paul A. Sivley on the occasion of his retirement from the San Carlos City Council.

Paul A. Sivley has given 4 years of outstanding service to the city of San Carlos, CA. He was elected to the city council in 1989 and has served with great distinction as mayor of San Carlos for 1992 and 1993. As a member of the board of directors of the Association of Bay Area Governments, Paul Sivley has demonstrated his commitment to the success of the entire region. He has worked to alleviate the social problems of communities with his service on the San Mateo County Aids Task Force and the San Carlos Education Foundation. Paul Sivley is deeply involved in the San Carlos community and has represented his constituents with leadership and integrity as a member of the Rotary Club, the Chamber of Commerce, and as chairman of the Industrial Council.

Mr. Speaker, I'm proud to represent the city of San Carlos and am honored to have this opportunity to congratulate my good friend and partner in public service Paul A. Sivley on his retirement from public office. I urge my colleagues in this House to join me in saluting this outstanding public leader of the 14th Congressional District and salute all he is and all he has done.

CONGRESSMAN KILDEE SALUTES DR. CLINTON JONES

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1993

Mr. KILDEE. Mr. Speaker, I rise today to urge my colleagues in the U.S. House of Representatives to join me in paying tribute to an outstanding educator in my hometown of Flint, MI, Dr. Clinton Jones.

Dr. Clinton Jones is leaving his position as chancellor of the University of Michigan-Flint to return to the classroom. During Dr. Jones' tenure as chancellor, the University of Michigan-Flint has experienced unprecedented growth among its student body. It has become a regional educational institution that offers students a diverse curriculum taught by renowned instructors. Dr. Jones has provided the leadership necessary to move the institution into the next century. He has been a visionary, striving for excellence in education in an urban setting.

Dr. Clinton Jones obtained a bachelor of science degree from Southern University in Baton Rouge, LA. He then moved to California where he earned a master of arts degree in government from California State University, Los Angeles. He received a doctor of philosophy in government from Claremont Graduate School. He entered the field of higher education administration in 1975 when he accepted a position as chairman of the urban studies department and associate director of the Institute for Urban Affairs and Research at Howard University in Washington, DC. He moved to Georgia where he served as the associate dean of the College of Public and Urban Affairs at Georgia State University. He then became vice-chancellor for academic affairs at the University of Houston-Downtown. In 1984, he became the chancellor of the University of Michigan-Flint.

Dr. Jones has also published in several journals on urban politics, criminal justice, and equal employment. He has shown tremendous support for various student organizations and has been recognized for his commitment to students. In addition to his outstanding dedication to students, Dr. Jones has also played an active role in the Flint community. In Flint, he has received recognition from many organizations, including the Metropolitan Chamber of Commerce and the National Association of Negro and Professional Women. In addition, Dr. Jones is a member of the board of directors of the Urban League, the Urban Coalition, the Genesee Economic Area Revitalization, and McLaren Regional Medical Center.

Mr. Speaker, it is indeed an honor and a pleasure for me to rise today before my colleagues in the U.S. House of Representatives to pay tribute to Dr. Clinton Jones. He is a man of great moral character committed to providing quality education to all who enroll at the University of Michigan-Flint. He has touched thousands of lives and has provided Flint with great leadership in the field of education. I wish him well as he leaves on sabbatical and I know that he will continue to enrich the lives of all those with whom he comes in contact.